

providing increases in pension for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5067. Also, petition of residents of Brockton, Whitman, West Bridgewater, Abington, Stoughton, and Avon, Mass., urging the immediate passage of radio legislation; to the Committee on the Merchant Marine and Fisheries.

5068. By Mr. GALLIVAN: Petition of American Irish Historical Society, John J. Murphy, chairman joint committee, 132 East Sixteenth Street, New York, N. Y., urging immediate repeal of the "national origins" clause of the immigration act of 1924; to the Committee on Immigration and Naturalization.

5069. By Mr. GARBER: Petition of the Oklahoma Branch of the Associated General Contractors of America, urging enactment of House bill 8902; to the Committee on the Judiciary.

5070. Also, petition of the Association of American State Geologists indorsing the Newton bill for stimulating more prompt and more rapid water resource investigations in this country; to the Committee on Interstate and Foreign Commerce.

5071. By Mr. GARDNER of Indiana: Petition of Israel B. Denny and 27 other citizens of Washington County, Ind., urging that immediate steps be taken to bring to a vote a Civil War pension bill carrying the rates proposed by the National Tribune in order that relief may be accorded to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

5072. By Mr. HERSEY: Petition of Mr. C. P. Whitney and many other residents of Caribou, Me., asking that legislation be passed aiding the soldiers of the Civil War and their widows; to the Committee on Invalid Pensions.

5073. By Mr. IRWIN: Petition of E. J. Buell et al., of East St. Louis, Ill., urging the passage of pension legislation for the relief of veterans of the Civil War and their widows at the present session of Congress; to the Committee on Invalid Pensions.

5074. Also, petition of residents of St. Clair, Madison, and Bond Counties, to oppose the compulsory Sunday observance bill (H. R. 10311); to the Committee on the District of Columbia.

5075. By Mr. KINDRED: Petition of the Maritime Association of the Port of New York, protesting against the transfer of the American Republic Line to any other port as a base of operations; to the Committee on the Merchant Marine and Fisheries.

5076. Also, petition of the Publishers' Association of New York City, favoring the passage of an amendment to the postal law restoring the 1920 rates to second-class mail; to the Committee on the Post Office and Post Roads.

5077. By Mr. MADDEN: Petition of sundry citizens of the city of Chicago, Ill., opposing the passage of the Sunday observance bill; to the Committee on the District of Columbia.

5078. By Mr. MAGEE of New York: Petition of Mrs. J. A. Coleman et al., Cortland, N. Y., in opposition to House bill 10311; to the Committee on the District of Columbia.

5079. By Mr. MANLOVE: Petition of Mrs. H. J. Kramer, E. C. Robertson, and eight other citizens of Walker, Mo., urging the passage of legislation favorable to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5080. Also, petition of L. E. Rainey, L. V. Baxter, and 39 other citizens of Schell City, Mo., urging the passage of legislation favorable to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5081. Also, petition of H. L. Jones, T. H. Leib, and 37 other citizens of Joplin and Webb City, Mo., urging the passage of legislation favorable to soldiers of the Civil War and their widows; to the Committee on Invalid Pensions.

5082. By Mr. MEAD: Petition of employees of Steamboat Inspection Service, of Buffalo, N. Y., on House bill 359; to the Committee on the Civil Service.

5083. By Mr. O'CONNELL of New York: Petition of the Denver Chapter, Denver, Colo., Disabled Emergency Officers of the World War, favoring the passage of the Tyson-Fitzgerald bill; to the Committee on Military Affairs.

5084. Also, petition of the Chamber of Commerce of the State of New York, strongly urging that the headquarters of the American Republic Line remain in New York; to the Committee on the Merchant Marine and Fisheries.

5085. By Mr. OLDFIELD: Petition of citizens of Brinkley, Ark., urging the passage of widows' pension bill (H. R. 13450); to the Committee on Invalid Pensions.

5086. By Mr. RAINEY: Petition of Mrs. C. R. Anderson and 20 other citizens of Jerseyville, Ill., and vicinity, against passage of compulsory Sunday observance bill; to the Committee on the District of Columbia.

5087. Petition of M. B. Keplinger and 48 other citizens of Franklin, Ill., favoring passage of Civil War pension bill carry-

ing rates favored by the National Tribune; to the Committee on Invalid Pensions.

5088. By Mr. RATHBONE: Memorial of board of directors of German-American Citizens' League of the United States, protesting against change proposed in the immigration quota for Germany; to the Committee on Immigration and Naturalization.

5089. By Mr. REED of New York: Petition of citizens of Frewsburg, N. Y., in behalf of a Civil War pension bill; to the Committee on Invalid Pensions.

5090. By Mr. REID of Illinois: Petition of citizens of Harvard, Ill., urging increased pensions for Civil War veterans; to the Committee on Invalid Pensions.

5091. By Mr. ROBINSON of Iowa: Petition for the Civil War pension bill, sent by the citizens of Cascade, Dubuque County, Iowa; to the Committee on Invalid Pensions.

5092. By Mr. ROMJUE: Petition of G. P. Allen, Harry F. Allen, and others, of Putnam County, Mo., asking for legislation granting increased pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5093. By Mr. SANDERS of New York: Petition of Mary A. Arnold and Mr. and Mrs. H. D. Starkweather, of Arcade, N. Y., urging the passage of Civil War pension increase legislation; to the Committee on Invalid Pensions.

5094. By Mr. SWING: Petition of Los Angeles Chamber of Commerce, urging the House of Representatives to direct the Rules Committee to report quickly a rule allowing vote on the Fitzgerald bill (H. R. 4548) for retirement of disabled emergency Army officers of the World War; to the Committee on Rules.

5095. By Mr. TAYLOR of New Jersey: Petition of sundry citizens of Newark, N. J., urging the immediate passage of House bill 13450 in behalf of Civil War veterans and widows; to the Committee on Invalid Pensions.

5096. By Mr. UPDIKE: Petition of W. M. Coy, L. J. Holtman, Aurelia Smith, Eliza Luery, and others, all citizens of Marion County, Ind., favoring the passage of pension legislation for the relief of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5097. By Mr. WOLVERTON: Petition of Oliver P. Smith and others, of Ritchie County, W. Va., urging immediate passage of the bill granting an increase of pension to Civil War widows; to the Committee on Invalid Pensions.

5098. By Mr. WYANT: Petition of citizens of Apollo, Pa., urging the enactment of pension legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

5099. Also, petition of certain residents of Monessen and Belle Vernon, Westmoreland County, Pa., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

5100. Also, petition of citizens of Lycippus, Pa., urging the enactment of pension legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

5101. Also, petition of O. J. Fleming and other residents of Irwin, Pa., urging the passage of House bill 10311, known as the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

5102. Also, petition of Rev. Robert A. Blair and other residents of Parnassus, Pa., for an acknowledgment of the authority of Christ and of the law of God in the Constitution of the United States; to the Committee on Revision of the Laws.

## SENATE

TUESDAY, January 18, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our heavenly Father, we come into Thy presence this morning conscious of our needs. Without Thee all our problems can not be solved favorably. We are left in the darkness many times with our conjectures and misgivings, but we come this morning with the consciousness that wisdom can be had from Thee. Help, we beseech of Thee, and so direct the engagements of this day that Thine honor shall be magnified and good accomplished. Through Jesus Christ, our Lord. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

# HOUR OF MEETING TO-MORROW

Mr. CURTIS. Mr. President, I desire to submit a unanimous-consent request. I ask unanimous consent that when the Senate completes its business to-day it shall take a recess in legislative session until 11 o'clock to-morrow morning.

Mr. ROBINSON of Arkansas. Mr. President, I concur in the request of the Senator from Kansas.

The VICE PRESIDENT. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

# PETITIONS AND MEMORIALS

Mr. WALSH of Massachusetts presented a petition of the employees of the Brown Durrell Co. of Boston, Mass., and petitions of sundry other citizens in the State of Massachusetts, praying the passage of legislation to regulate radio broadcasting and to insure its control, which were ordered to lie on the table.

He also presented petitions of 1,309 subscribers of the Boston Herald and sundry subscribers of the Boston Traveler, making a total of 5,124 citizens, protesting against present chaotic conditions of radio broadcasting, and praying the passage of remedial legislation, which were ordered to lie on the table.

He also presented petitions of 532 readers of the Brockton Daily Enterprise and numerous petitions of sundry citizens in the State of Massachusetts submitted through radio station WNAC at Boston, Mass., praying the passage of radio-control legislation, which were ordered to lie on the table.

He also presented the petition of Mary D. Keith, of 8 Monadnock Street, Boston, and 18 other citizens of Massachusetts, and also a petition of sundry other citizens of Massachusetts, praying the speedy enactment of legislation providing a pension of \$50 a month for every Civil War widow, and also the favorable consideration of all other legislation for the relief of needy and suffering veterans of the Civil War and their dependents, which were referred to the Committee on Pensions.

Mr. CAPPER presented a petition of sundry citizens of Ogallah, in the State of Kansas, praying for the prompt passage of the so-called White radio bill without amendment, which was ordered to lie on the table.

Mr. WILLIS presented a petition of sundry citizens of Cincinnati, in the State of Ohio, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Cambridge and Evesville, all in the State of Ohio, remonstrating against any amendment of the so-called Johnson Immigration Act, which were referred to the Committee on Immigration.

# ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day that committee presented to the President of the United States the enrolled bill (S. 3804) granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct, maintain, and operate a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg.

# BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5327) for the relief of W. J. Moodyman (with accompanying papers); to the Committee on Claims.

By Mr. BRUCE:

A bill (S. 5328) granting a pension to Martha E. Tilghman; to the Committee on Pensions.

By Mr. ODDIE:

A bill (S. 5329) to authorize increased appropriations for the United States Bureau of Mines, and for other purposes; to the Committee on Mines and Mining.

By Mr. DALE:

A bill (S. 5330) extending the classified civil service to include postmasters of the third class, and for other purposes; to the Committee on Civil Service.

By Mr. WADSWORTH:

A bill (S. 5331) for the relief of Abraham H. Tompkins; and A bill (S. 5332) to authorize the removal of the Aqueduct Bridge crossing the Potomac River from Georgetown, D. C., to Rosslyn, Va.; to the Committee on Military Affairs.

By Mr. SWANSON:

A bill (S. 5333) granting an increase of pension to Lucile Dodson Brown; to the Committee on Pensions.

A bill (S. 5334) for the relief of William Mahone from the provisions of the act of April 4, 1921, and the act of June 16, 1921; to the Committee on the Judiciary.

A bill (S. 5335) for the relief of R. Wilson Selby; and

A bill (S. 5336) for the relief of the Seaboard Wharf & Warehouse Co. (Inc.); to the Committee on Claims.

By Mr. ROBINSON of Indiana:

A bill (S. 5337) granting a pension to Sarah J. Asbury (with accompanying papers); and

A bill (S. 5338) granting an increase of pension to Nathan C. Rucker (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5339) to authorize the Secretary of the Treasury to enter into a lease of a suitable building for customs purposes in the city of New York; to the Committee on Finance.

By Mr. GOFF:

A bill (S. 5340) granting the consent of Congress to the H. A. Carpenter Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the city of St. Marys, Pleasants County, W. Va., to a point opposite thereto in Washington County, Ohio; to the Committee on Commerce.

By Mr. McNARY:

A bill (S. 5341) authorizing an appropriation of \$25,000 for the purchase of the compilation of place names of William G. Steel; to the Committee on Commerce.

By Mr. ODDIE:

A bill (S. 5342) to authorize certain officers of the United States Navy to accept from the Republic of Peru decoration and diploma of the Order of the Sun and from the Republic of Ecuador decoration and diploma of the Estralla Abdon Calderon; to the Committee on Naval Affairs.

By Mr. LENROOT:

A bill (S. 5343) granting a pension to Nicholas G. Penfound; to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 5344) granting an increase of pension to Ellen Harley Soule (with an accompanying paper); and

A bill (S. 5345) granting an increase of pension to Emma Gordon (with accompanying papers); to the Committee on Pensions.

By Mr. ODDIE (by request):

A bill (S. 5346) for the relief of the estate of L. Gordon Leech, bankrupt (with accompanying papers); and

A bill (S. 5347) for the relief of the Ancona Printing Co. (Inc.) (with accompanying papers); to the Committee on Claims.

By Mr. SCHALL:

A bill (S. 5348) for the relief of Ira E. King; to the Committee on Claims.

By Mr. PHIPPS:

A joint resolution (S. J. Res. 146) authorizing the President to appoint a board of five engineers in order to make a comprehensive investigation of the lower Colorado River; to the Committee on Irrigation and Reclamation.

By Mr. DALE:

A joint resolution (S. J. Res. 147) creating a commission to investigate the subject of civil-service retirement and the operation and administration of the law relative thereto; to the Committee on Civil Service.

# CHANGES OF REFERENCE

On motion of Mr. SHEPPARD, the resolution (S. Res. 273) relating to the development and diffusion of knowledge regarding manufacture, was taken from the table and referred to the Committee on Manufactures.

On motion of Mr. McKELLAR, the Committee on Interstate Commerce was discharged from the further consideration of the bill (S. 5322) to amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved June 10, 1920, and for other purposes," and it was referred to the Committee on Commerce.

# FIREARMS IN THE MAILS

Mr. BRUCE submitted an amendment intended to be proposed by him to the bill (H. R. 4502) declaring pistols, revolvers, and other firearms capable of being concealed on the person non-mailable and providing penalty, which was ordered to lie on the table and to be printed.

# PRACTICE BEFORE THE PATENT OFFICE

Mr. KING submitted an amendment intended to be proposed by him to the bill (H. R. 10735) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, which was referred to the Committee on Patents and ordered to be printed.



## AMENDMENT TO LEGISLATIVE APPROPRIATION BILL

Mr. McNARY submitted an amendment intended to be proposed by him to the legislative appropriation bill for the fiscal year 1928, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page —, line —, insert the following:  
 "For salaries of employees for the Committee on Agriculture and Forestry, in lieu of what they are now receiving, as follows: Assistant clerk, \$2,500 per annum, and assistant clerk at \$2,150 per annum."

## AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. McNARY submitted an amendment intended to be proposed by him to the second deficiency appropriation bill for the fiscal year 1927, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page —, line —, insert the following:  
 "For additional compensation for the remainder of the fiscal year 1927 for employees of the Committee on Agriculture and Forestry as follows: Assistant clerk, \$183.33; assistant clerk, \$133.33."

## MUSCLE SHOALS

Mr. TYSON. Mr. President, I ask unanimous consent to have printed in the RECORD a very illuminating article by Professor Switzer upon the delay in the development of the water power of the Tennessee River and the failure to act upon the Muscle Shoals question.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

## THE MUSCLE SHOALS QUESTION

By J. A. Switzer, professor of hydraulic engineering, University of Tennessee, Knoxville, and hydraulic engineer, Tennessee State Geological Survey

[In the following article Prof. J. A. Switzer, professor of hydraulic engineering in the University of Tennessee and hydraulic engineer for the Tennessee Geological Survey, presents a very strong argument in regard to the Muscle Shoals situation. Professor Switzer is a well-recognized authority on hydroelectric developments in the South, and his presentation of this whole situation in behalf of Tennessee and of the South at large should command the attention of the entire country.—Editor Manufacturers Record.]

One of the most vexing matters to come before the Congress in years is the leasing of the hydroelectric plant and the two nitrate plants at Muscle Shoals, Ala. Built as a war measure, the plants nevertheless have great economic importance, and the contest for the lease is sharp and keen.

In 1924 the burning question was whether or not Henry Ford should be given a lease of Muscle Shoals upon terms of his own making; and in response to a clamor that almost seemed to come from the people, Congress did come very near to turning over the property to him. Now, the graceful withdrawal of Mr. Ford as a bidder has somewhat simplified the task of Congress; yet in reality the present situation is perhaps more poignant even than was that of 1924.

Henry Ford as a contender for the lease of Muscle Shoals has been supplanted by a powerful private corporation, the American Cyanamid Co., or its subsidiary, the Air Nitrates Corporation, whose proposal is less favorable to the public good even than was that of Mr. Ford.

Now, as then, the associated public-utility power companies, whose interconnected transmission lines constitute the great superpower system of the South, are still bidders. For the purpose of making their bid and of administering the lease, these power companies have organized the Muscle Shoals Power Distributing Co. and the Muscle Shoals Fertilizer Co.

Last March Congress, at the instance of President Coolidge, appointed a joint committee to call for bids for the lease of Muscle Shoals, giving the committee power to negotiate a lease with the most favorable bidder, and with instructions to report back to Congress a bill to effectuate such a lease.

Several bids were submitted, but only those of the Associated Power Cos. and the American Cyanamid Co. came near to conforming with the conditions as set up by the act appointing the joint committee.

The conditions set up by Congress were, briefly, that the lease or leases should (1) guarantee and safeguard the production of nitrates at Muscle Shoals, first, for the national defense and, second, for the production of fertilizer, and (2) guarantee the generation of power, "such power to be equitably distributed between the communities and States to which it may be properly transmitted."

The first act of the joint committee was to request the Secretaries of War, Agriculture, Commerce, and the Interior to designate four experts to serve the committee as an advisory board. This board consisted of the following Government officials: Gen. Edgar Jadwin, Chief of Engineers; Paul S. Clapp, of the Department of Commerce; Dr. S. C. Lind, associate director Fixed Nitrogen Research Laboratory, Department of Agriculture; and C. A. Bissell, Bureau of Reclamation, Depart-

ment of the Interior. Seven other Government experts were also called into consultation by the committee.

The report of this advisory board was unanimous, and it concluded with the following words: "Inasmuch as both bids are satisfactory from the standpoint of national defense and the Associated Power Companies' bid is so much better from the standpoints of fertilizer performance, financial return to the United States, and freedom from complications incident to additional appropriations, in the opinion of your advisory committee, the power companies' bid is far more advantageous."

The joint committee reported back to Congress on April 26, 1926, recommending the acceptance of the proposal of the Associated Power Companies, this recommendation being signed by four of the six members of the committee.

To the ordinary citizen not in politics it would seem as though the situation were simplicity itself. The Cyanamid Co., having made the less favorable bid, should withdraw from the field and Congress should pass the bills now on the calendar and lease Muscle Shoals to the power companies. Perhaps Congress will cease making a football of Muscle Shoals and, heeding the admonition of President Coolidge, who said, "The problem of Muscle Shoals seems to me to have assumed a place out of proportion with its real importance," proceed in businesslike fashion to pass the bills.

However, the Cyanamid Co. has not retired from the field. On the contrary, great political pressure is apparently being exerted on its behalf, and the outcome is by no means certain.

\*\*\* If the Cyanamid Co. secures control of Muscle Shoals, the great preponderance of the power to be generated from the "white coal" will be used to build up privately owned industries in the immediate locality of Muscle Shoals and Sheffield. If, on the other hand, the Associated Power Cos. secure the lease, all power not actually required in the production of fertilizer will be "equitably distributed between the communities and States to which it may be properly transmitted." The first would concentrate such public benefit as might accrue within a small area; the second would disseminate the benefit widely. The implication is plain.

Public interest in Muscle Shoals undoubtedly centers in the prospective production of fertilizer, and for this reason a plain, nontechnical discussion of the processes whereby the nitrogen of the atmosphere is "fixed," or brought into combination with other elements and so made available as plant food, may be of interest.

There are three known processes for bringing this about. These are known as the arc process, the cyanamide process, and the synthetic-ammonia process. The first of these is so expensive as not to be under consideration for adoption in this country, and so need not be discussed in this paper. Moreover, those plants in Norway which still use it are now introducing the synthetic-ammonia process along with it.

The cyanamide process involves a number of chemical operations. First, coal is burned to coke. Then limestone, of exceptional purity, must be burned to quicklime. The coke and lime are then crushed and heated together in an electric furnace. This produces the well-known chemical, calcium carbide. The calcium carbide is then cooled and ground and heated electrically in an atmosphere of nitrogen, thereby producing calcium cyanamide. To a limited extent this product is itself used as fertilizer.

However, this calcium cyanamide can be treated with steam in the presence of a catalytic agent and thereby produce ammonia. This ammonia may then be used to treat ground gypsum, or calcium sulphate, and one of the products, ammonium sulphate, is the most popular fertilizer ingredient. Or it may be used to produce ammonium phosphate or a number of other forms of fertilizer. A good deal of coal is used in this process.

The synthetic-ammonia process consists in mixing the two gases, hydrogen and nitrogen, in the correct proportions (one part of nitrogen to three of hydrogen) to form ammonia, and heating the mixture under pressure and in the presence of a catalyst. The gases combine directly, forming ammonia. There are a number of methods of obtaining the two constituent gases, hydrogen and nitrogen. They may be obtained from coal (the hydrogen from "water gas" and the nitrogen from "producer gas," both gases coming from coal), in which case but little electrical energy is used, or they may be obtained by electrical methods; the hydrogen from electrolysis of water and the nitrogen from the fractional distillation of liquid air, electricity having been used in making the liquid air. Thus coal may be used or electricity obtained from water power. But if coal is used, less of it is required per ton of fertilizer than is required as a basis of the cyanamide process. The ammonia thus obtained is of great purity, and, although the largest plant in the United States for the fixation of atmospheric nitrogen, that at Syracuse, N. Y., uses the synthetic-ammonia process, the demand for pure ammonia for refrigerating plants is so insistent that none of this ammonia is made into fertilizer at the present time. Neither, however, is any significant amount of fertilizer made in the United States by the cyanamide process.

At the time of the World War the cyanamide process had become fully developed, while the synthetic-ammonia process was still in the development stages. During the war several large cyanamide plants were built, both in America and abroad. But none have been built since the war. On the other hand, practically all of the enormous European expansion of the nitrogen-fertilizer industry has been through the building of new or the enlargement of old synthetic-ammonia plants, until to-day these plants far outnumber the cyanamide plants and their output of fertilizer is more than four times as great. The amount of nitrogen fixed by the cyanamide process reached a peak in 1917, but by 1918 it was passed by the synthetic-ammonia process. At the close of the war there were only two or three of the synthetic-ammonia plants in existence, but to-day there are 35 or more. The world's production figures by the two processes are significant of the trend in this matter.

World's fixation of atmospheric nitrogen  
(Figures approximate)

Year	By cyanamide process	By synthetic-ammonia process
	Tons	Tons
1913.....	16,000	2,000
1915.....	66,000	10,000
1917.....	136,000	82,000
1918.....	132,000	140,000
1919.....	127,000	176,000
1921.....	124,000	240,000
1923.....	116,000	310,000
1925.....	136,000	390,000

(Figures are nitrogen tonnage, not fertilizer tonnage.)

The great nitrate plant which was built at Muscle Shoals during the war, at a cost of some \$60,000,000, was designed for the cyanamide process. But since fertilizer can be produced by the synthetic process at a price approximately 30 per cent lower to-day than by the cyanamide process, there is no likelihood, whoever shall lease Muscle Shoals, that the cyanamide process will be used there. A single synthetic-ammonia plant in Germany produces 10 times as much fertilizer per day as could be produced at the No. 2 Muscle Shoals plant.

The lease of Muscle Shoals to the American Cyanamid Co. on terms anything like those contained in the bid of this company would be an economic crime. Not because their fertilizer program is less favorable, though it is less favorable; not because it would return much less in rentals to the Government, though such is the case; not because this company and its ally, the Union Carbide Co., propose to use for their own private manufacturing purposes, subject to no public regulation, as much of the Muscle Shoals water power to be developed, over and above that to be devoted to fertilizer production, as they see fit—and this means practically all of the primary power; not even because their plans would concentrate within the small environment of Sheffield, Ala., such industrial benefits as more properly belong to the entire South. Although these are all-important reasons why they should not be given the lease, the major reason is that in their bid this company demands to be given the control of the largest storage project which can be built on the upper reaches of the Tennessee River system—the Cove Creek storage and power project. The United States Army Engineering Corps has worked out a unified scheme for the complete development of a great power domain in the upper Tennessee Valley. This complete development contemplates the successive building of a series of 11 dams, with a proposed installation totaling over 900,000 horsepower and capable of yielding about five times as much primary power as the Wilson Dam itself. This power would go into public-utility service, where it is urgently needed. But the Cove Creek project is the keystone of this arch, and its award, through an act of Congress to the Cyanamid Co., would constitute a violent disregard of the fundamental principles of conservation in that it would so detract from the value of several of these 11 dams as to destroy their economic availability.

The State of Tennessee is to-day facing a power famine. Because her power streams happen to lie above Muscle Shoals, and because Muscle Shoals has become a political football, she has been forced to mark time, while the swelling tide of southern industrial expansion has very largely swept around her borders. In the Carolinas, in Georgia, and in Alabama water-power development goes rapidly forward. In Tennessee not a single large hydroelectric plant has been built or even begun since 1918. Tennessee protests against spoliation for the benefit of the American Cyanamid Co.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1730. An act to authorize the payment of indemnity to the Government of Great Britain on account of losses sustained by the owners of the British steamship *Mavisbrook* as

a result of collision between it and the United States transport *Carolinnian*;

S. 3444. An act to amend the act of February 11, 1925, entitled "An act to provide fees to be charged by clerks of the district courts of the United States";

S. 3992. An act to provide for the purchase of land for use in connection with Camp Marfa, Tex.;

S. 4252. An act setting aside certain land in Douglas County, Oreg., as a summer camp for Boy Scouts;

S. 4533. An act extending to lands released from withdrawal under the Carey Act the right of the State of Montana to secure indemnity for losses to its school grant in the Fort Belknap Reservation; and

S. 5231. An act authorizing the sale of land at margin of the Rock Creek and Potomac Parkway for construction of a church and provisions for proper ingress and egress to said church building.

The message also announced that the House had passed the following bills, each with an amendment, in which it requested the concurrence of the Senate:

S. 1857. An act to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes; and

S. 2301. An act authorizing the Shoshone Tribe of Indians of the Wind River Reservation in Wyoming to submit claims to the Court of Claims.

The message further announced that the House had passed the bill (S. 4537) to amend the Harrison Narcotic Act of Congress approved December 17, 1914, as amended, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, joint resolutions, and concurrent resolution, in which it requested the concurrence of the Senate:

H. R. 1130. An act authorizing the Secretary of War to donate to the Wayne County Council of the Veterans of Foreign Wars, of Detroit, State of Michigan, two obsolete brass cannons;

H. R. 5991. An act authorizing the adjustment of the boundaries of the Black Hills and Harney Forests, and for other purposes;

H. R. 7563. An act to amend section 4900 of the United States Revised Statutes;

H. R. 9045. An act to establish a national military park at and near Fredericksburg, Va., and to mark and preserve historical points connected with the Battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, Va.;

H. R. 9173. An act providing for the revision and printing of the index to the Federal Statutes;

H. R. 9174. An act providing for the preparation of a biennial index to State legislation;

H. R. 10130. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Rotary Club, of Crawfordsville, Montgomery County, Ind., a bell of a battleship that is now, or may be, in his custody;

H. R. 11325. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, and acts in amendment thereof;

H. R. 12212. An act authorizing the Secretary of the Navy to dispose of obsolete aeronautical equipment to accredited schools, colleges, and universities;

H. R. 12640. An act to provide for the inspection of the battle field of Brices Cross Roads, Miss., and the battle field of Tupelo, or Harrisburg, Miss.;

H. R. 12797. An act to authorize the sale of the Buckeye Target Range, Ariz.;

H. R. 12852. An act authorizing the Secretary of the Navy to accept on behalf of the United States title in fee simple to a certain strip of land and the construction of a bridge across Archers Creek in South Carolina;

H. R. 12889. An act to relinquish the title of the United States to the land in the claim of Moses Steadham, situate in the county of Baldwin, State of Alabama;

H. R. 12931. An act to provide for maintaining, promoting, and advertising the International Trade Exhibition;

H. R. 13050. An act releasing and granting to the State of Utah and the University of Utah any and all reversionary rights of the United States in and to the grounds now occupied as a campus by the University of Utah;

H. R. 13212. An act granting certain lands to the city of Bountiful, Utah, to protect the watershed of the water-supply system of said city;

H. R. 13451. An act to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled



in the same, in line of duty, in the military or naval service of the United States; and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs;

H. R. 13453. An act to amend the act providing additional aid for the American Printing House for the Blind;

H. R. 13481. An act authorizing the Secretary of the Treasury to accept title for post-office site at Olyphant, Pa., with mineral reservations;

H. R. 13494. An act to permit detailing of employees of the Indian field service to the Washington office;

H. R. 13778. An act for the relief of certain citizens of Eagle Pass, Tex.;

H. R. 14248. An act to amend the provision contained in the act approved March 3, 1915, providing that the Chief of Naval Operations, during the temporary absence of the Secretary and Assistant Secretary of Navy, shall be next in succession to act as Secretary of the Navy;

H. R. 14925. An act authorizing the sale of the new sub-treasury building and site in San Francisco, Calif.;

H. R. 15011. An act granting the consent of Congress to the Paragould-Hopkins Bridge road improvement district of Greene County, Ark., to construct a bridge across the St. Francis River;

H. R. 15012. An act to amend the act entitled "An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri," approved February 13, 1924;

H. R. 15014. An act granting the consent of Congress to the city of Quincy, State of Illinois, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 15016. An act to authorize the purchase of a post-office site at Tamaqua, Pa., subject to mineral reservations;

H. R. 15129. An act granting the consent of Congress to the Indiana Bridge Co. to construct, maintain, and operate a toll bridge across the Ohio River at Evansville, Ind.;

H. R. 15344. An act to amend the act entitled "An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes";

H. R. 15530. An act to extend the time for the construction of a bridge across Red River at Fulton, Ark.;

H. R. 15537. An act to amend section 476 and section 4934 of the Revised Statutes;

H. R. 15539. An act relating to certain cotton reports of the Secretary of Agriculture;

H. R. 15547. An act to authorize appropriations for construction at military posts, and for other purposes;

H. R. 15604. An act for the promotion of rifle practice throughout the United States;

H. R. 15642. An act granting the consent of Congress to the State of Michigan and Berrien County, or either of them, to reconstruct, maintain, and operate a bridge across the St. Joseph River;

H. R. 15651. An act to encourage breeding of riding horses for Army purposes;

H. R. 15821. An act to revise the boundary of the Hawaii National Park on the island of Maui, in the Territory of Hawaii;

H. R. 15828. An act to prohibit certain assignments to duty in bureaus of the War Department;

H. R. 15839. An act authorizing the Davis School District of Farmington, Utah, to secure water for the use of the South Weber School from the water supply of the Ogden ordnance reserve depot;

H. R. 16023. An act relating to the transfusion of blood by members of the Military Establishment;

H. R. 16077. An act to amend section 40 of the act approved February 2, 1901 (31 Stats. p. 758), relative to rations;

H. R. 16164. An act to amend the act entitled "An act to amend the Panama Canal act and other laws applicable to the Canal Zone, and for other purposes," approved December 29, 1926;

H. J. Res. 207. Joint resolution directing the Comptroller General of the United States to correct an error made in the adjustment of the account between the State of New York and the United States, adjusted under the authority contained in the act of February 24, 1905 (33 Stat. L. p. 777), and appropriated for in the deficiency act of February 27, 1906;

H. J. Res. 272. Joint resolution providing for the return of funds belonging to World War National Guard organizations;

H. J. Res. 318. Joint resolution to authorize the Secretary of War to lend tentage, cots, and blankets for the use of the

Virginia Department of the Veterans of Foreign Wars at its annual encampment, June, 1927;

H. J. Res. 328. Joint resolution to provide for the expenses of delegates of the United States to the Congress of Military Medicine and Pharmacy to be held at Warsaw, Poland;

H. J. Res. 329. Joint resolution to provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro;

H. J. Res. 330. Joint resolution to provide for the expenses of delegates of the United States to the Eighth Pan American Sanitary Conference, to be held at Lima, Peru;

H. J. Res. 331. Joint resolution to provide for the membership of the United States in the American International Institute for the Protection of Childhood; and

H. Con. Res. 41. Concurrent resolution expressing the approval by the United States Congress of the proposed international project to erect a memorial at Santo Domingo, Dominican Republic, to Christopher Columbus.

#### HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 41) expressing the approval by the United States Congress of the proposed international project to erect a memorial at Santo Domingo, Dominican Republic, to Christopher Columbus was referred to the Committee on Foreign Relations.

#### HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by title and referred as indicated below:

H. R. 13453. An act to amend the act providing additional aid for the American Printing House for the Blind; to the Committee on Education and Labor.

H. R. 11325. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, and acts in amendment thereof; to the Committee on Claims.

H. R. 13494. An act to permit detailing of employees of the Indian field service to the Washington office; to the Committee on Indian Affairs.

H. R. 15547. An act to authorize appropriations for construction at military posts, and for other purposes; to the calendar.

H. R. 15539. An act relating to certain cotton reports of the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

H. R. 13451. An act to increase the pensions of certain maimed veterans who have lost limbs or have been totally disabled in the same, in line of duty, in the military or naval service of the United States; and to amend section 4788 of the Revised Statutes of the United States by increasing the rates therein for artificial limbs; to the Committee on Pensions.

H. R. 9173. An act providing for the revision and printing of the index to the Federal Statutes;

H. R. 9174. An act providing for the preparation of a biennial index to State legislation; to the Committee on Printing.

H. R. 7563. An act to amend section 4900 of the United States Revised Statutes; and

H. R. 15537. An act to amend section 476 and section 4934 of the Revised Statutes; to the Committee on Patents.

H. R. 13481. An act authorizing the Secretary of the Treasury to accept title for post-office site at Olyphant, Pa., with mineral reservations;

H. R. 14925. An act authorizing the sale of the new sub-treasury building and site in San Francisco, Calif.; and

H. R. 15016. An act to authorize the purchase of a post-office site at Tamaqua, Pa., subject to mineral reservations; to the Committee on Public Buildings and Grounds.

H. R. 10130. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Rotary Club, of Crawfordsville, Montgomery County, Ind., a bell of a battleship that is now, or may be, in his custody;

H. R. 12212. An act authorizing the Secretary of the Navy to dispose of obsolete aeronautical equipment to accredited schools, colleges, and universities;

H. R. 12852. An act authorizing the Secretary of the Navy to accept on behalf of the United States title in fee simple to a certain strip of land and the construction of a bridge across Archers Creek in South Carolina; and

H. R. 14248. An act to amend the provision contained in the act approved March 3, 1915, providing that the Chief of Naval Operations, during the temporary absence of the Secretary and Assistant Secretary of the Navy, shall be next in succession to act as Secretary of the Navy; to the Committee on Naval Affairs.

H. R. 5991. An act authorizing the adjustment of the boundaries of the Black Hills and Harney Forests, and for other purposes;

H. R. 12889. An act to relinquish the title of the United States to the land in the claim of Moses Steadham, situate in the county of Baldwin, State of Alabama;

H. R. 13050. An act releasing and granting to the State of Utah and the University of Utah any and all reversionary rights of the United States in and to the grounds now occupied as a campus by the University of Utah;

H. R. 13212. An act granting certain lands to the city of Bountiful, Utah, to protect the watershed of the water-supply system of said city; and

H. R. 15821. An act to revise the boundary of the Hawaii National Park on the island of Maui in the Territory of Hawaii; to the Committee on Public Lands and Surveys.

H. R. 15011. An act granting the consent of Congress to the Paragould-Hopkins Bridge road improvement district of Greene County, Ark., to construct a bridge across the St. Francis River;

H. R. 15012. An act to amend the act entitled "An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri," approved February 13, 1924;

H. R. 15014. An act granting the consent of Congress to the city of Quincy, State of Illinois, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 15129. An act granting the consent of Congress to the Indiana Bridge Co. to construct, maintain, and operate a toll bridge across the Ohio River at Evansville, Ind.;

H. R. 15530. An act to extend the time for the construction of a bridge across Red River at Fulton, Ark.; and

H. R. 15642. An act granting the consent of Congress to the State of Michigan and Berrien County, or either of them, to reconstruct, maintain, and operate a bridge across the St. Joseph River; to the Committee on Commerce.

H. R. 1130. An act authorizing the Secretary of War to donate to the Wayne County Council of the Veterans of Foreign Wars, of Detroit, State of Michigan, two obsolete brass cannons;

H. R. 9045. An act to establish a national military park at and near Fredericksburg, Va., and to mark and preserve historical points connected with the Battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, Va.;

H. R. 12640. An act to provide for the inspection of the battle field of Brices Cross Roads, Miss., and the battle field of Tupelo, or Harrisburg, Miss.;

H. R. 12797. An act to authorize the sale of the Buckeye Target Range, Ariz.;

H. R. 13778. An act for the relief of certain citizens of Eagle Pass, Tex.;

H. R. 15344. An act to amend the act entitled "An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes";

H. R. 15604. An act for the promotion of rifle practice throughout the United States;

H. R. 15651. An act to encourage breeding of riding horses for Army purposes;

H. R. 15828. An act to prohibit certain assignments to duty in bureaus of the War Department;

H. R. 15839. An act authorizing the Davis School District of Farmington, Utah, to secure water for the use of the South Weber School from the water supply of the Ogden ordnance reserve depot;

H. R. 16023. An act relating to the transfusion of blood by members of the Military Establishment;

H. R. 16077. An act to amend section 40 of the act approved February 2, 1901 (31 Stat. p. 758), relative to rations;

H. J. Res. 272. Joint resolution providing for the return of funds belonging to World War National Guard organizations; and

H. J. Res. 318. Joint resolution to authorize the Secretary of War to lend tentage, cots, and blankets for the use of the Virginia Department of the Veterans of Foreign Wars at its annual encampment, June, 1927; to the Committee on Military Affairs.

H. J. Res. 207. Joint resolution directing the Comptroller General of the United States to correct an error made in the adjustment of the account between the State of New York and the United States, adjusted under the authority contained in the act of February 24, 1905 (33 Stat. L. p. 777), and appropriated for in the deficiency act of February 27, 1906; to the Committee on the Judiciary.

H. J. Res. 328. Joint resolution to provide for the expenses of delegates of the United States to the Congress of Military Medicine and Pharmacy to be held at Warsaw, Poland;

H. J. Res. 329. Joint resolution to provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro;

H. J. Res. 330. Joint resolution to provide for the expenses of delegates of the United States to the Eighth Pan American Sanitary Conference to be held at Lima, Peru;

H. J. Res. 331. Joint resolution to provide for the membership of the United States in the American International Institute for the Protection for Childhood; and

H. R. 12931. An act to provide for maintaining, promoting, and advertising the International Trade Exhibition; to the Committee on Foreign Relations.

#### AMENDMENT OF NARCOTIC ACT

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4537) to amend the Harrison Narcotic Act of December 17, 1914, as amended, and for other purposes, which were, on page 1, to strike out all of lines 3 and 4, and insert: "That section 2 of the narcotic act of Congress, approved December 17, 1914, as amended, be further amended as follows," and to amend the title so as to read: "An act to amend the narcotic act of Congress, approved December 17, 1914, as amended, and for other purposes."

Mr. SMOOT. I move that the Senate agree to the amendments of the House.

Mr. ROBINSON of Arkansas. I wish the Senator would explain to the Senate the effect of an agreement to the House amendment.

Mr. SMOOT. The amendment of the House simply specifies section 2 of the act of December 17, 1914. We referred merely to the act. The other House felt that the number of the section ought to appear.

Mr. ROBINSON of Arkansas. I have no objection to agreeing to the amendment.

The amendments were agreed to.

#### CLAIMS OF SHOSHONE TRIBE OF INDIANS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2301) authorizing the Shoshone Tribe of Indians of the Wind River Reservation in Wyoming to submit claims to the Court of Claims, which was, on page 3, line 6, after the word "suit," to insert: "Provided, however, That the United States may interpose to such suit or action any and all pleas of defense, affirmative and negative, legal and equitable, which it may have thereto not herein specifically barred by the provisions of this act."

Mr. WARREN. I move that the Senate concur in the House amendment.

The motion was agreed to.

#### INDEPENDENT OFFICES APPROPRIATION BILL

The VICE PRESIDENT. The morning business is closed.

Mr. WARREN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 15959, the independent offices appropriation bill.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill (H. R. 15959) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that committee amendments be first considered.

The VICE PRESIDENT. Without objection, it is so ordered. The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Arlington Memorial Bridge Commission," on page 7, line 10, after the word "expended," to strike out the colon and the following proviso:

*Provided*, That the act approved February 24, 1925, shall be construed as authorizing the expenditure, with the specific approval of the Arlington Memorial Bridge Commission, of such portion as said commission shall determine, of this or any other appropriation heretofore or hereafter made to carry out said project, for the employment, on such terms as said commission shall decide, of expert consultants, engineers, architects, sculptors or artists, or firms, partnerships, or associations thereof, including the facilities, service, travel, and other expenses of their respective organizations so far as employed upon this



project, in accordance with the usual customs of their several professions, without regard to the restrictions of law governing the employment, salaries, or traveling expenses of regular employees of the United States: *Provided further*, That under the authority contained in the preceding proviso the aggregate amount to be expended in connection with the entire project shall not exceed \$250,000, and any payments in reimbursement of actual expenses incurred for subsistence shall not exceed the rate of \$10 per day, and any payments for per diem allowances for subsistence shall not exceed the rate of \$8 per day.

The amendment was agreed to.

The next amendment was, under the subhead "Vocational rehabilitation," on page 16, after line 10, to strike out:

Hereafter appropriations available to the Federal Board for Vocational Education for salaries and expenses shall be available for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the board are necessary for the efficient discharge of its responsibilities.

Mr. WARREN. I ask that that amendment may be passed over for the present. We will take it up later.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

The next amendment was, under the heading "National Advisory Committee for Aeronautics," on page 26, at the end of line 16, to strike out "\$510,000" and insert "\$512,000," so as to read:

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees, including not to exceed \$500 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passenger-carrying vehicles; personal services in the field and in the District of Columbia; in all, \$512,000, of which amount not to exceed \$70,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Emergency shipping fund," on page 35, line 8, after the numerals "1927," to insert a colon and the following proviso:

*Provided*, That no expenditure shall be made for the purposes of this paragraph from this sum without the prior approval of the President of the United States.

Mr. FLETCHER. Mr. President, I notice in the proceedings in the House that a point of order was made against an item like the one just stated, and the point of order was sustained. The ruling does not seem to be based entirely on the rules of the House. In the argument on the point Hinds' Precedents were cited and the rulings of several Chairmen in the House were mentioned, one of them by Mr. Sherman, who subsequently became Vice President, sustaining similar points of order. I think clearly that the proviso is unwise. The Shipping Board made a report in which they asked for \$17,500,000. That is a small amount to appropriate for the carrying on of our merchant marine service and I think they ought to have had the full amount; but they were given \$12,000,000 and on page 34 the item is—

In addition not to exceed \$5,000,000 of the special appropriation of \$10,000,000 contained in the independent offices appropriations made for the fiscal year 1927 and reappropriated by this act.

When it comes to reappropriating the \$10,000,000, on page 35, this provision is added:

That no expenditure shall be made for the purposes of this paragraph from this sum without the prior approval of the President of the United States.

I take it that applies to the whole \$10,000,000.

Mr. JONES of Washington. Mr. President, will the Senator yield?

Mr. FLETCHER. I yield.

Mr. JONES of Washington. I will say to the Senator that if he will note the language in the proviso, which was not in the House text, he will see that it reads, "No expenditure shall be made for the purposes of this paragraph," relating only to the one paragraph. I want to say, frankly, to the Senator that I share his probable fear, and I have just written out an amendment which I intend to offer on page 34 when the committee amendments are disposed of, so as to make the provision perfectly clear. It was the idea of the committee,

I know, that the provisions of the act referred to in the paragraph on page 35 should not apply to the additional \$5,000,000 provided for on page 34. In other words, it is the idea of the committee that under the language on page 34 there is \$17,000,000 available without having to come to the President for his approval of any part of it; but in order to make that perfectly clear I have just written out an amendment which I intend to offer on page 34, after the word "act," in line 8, as follows:

To be used without the prior approval of the President.

That would make it perfectly clear. I know that was the idea of the committee, and that is the reason why we put in the proviso here the words "for the purposes of this paragraph," so as to make it clear that the prior approval by the President did not apply to anything except what might be left of this fund as set out in the paragraph on page 35. But I frankly say that I have some little doubt with reference to that point, and I had concluded to offer, on page 34, the amendment which I have just called to the attention of the Senator whenever we get to the point where individual amendments can be offered.

Mr. WARREN. Mr. President, I would like the attention of the Senator from Florida for a moment. Last year we made a special appropriation of \$10,000,000 for the Shipping Board to be expended only under the approval of the President. It was to be used for special purposes; that is to say, for emergencies, like buying back or taking back ships which had failed after sale. This year it seems that the House, in order to avoid making a straight appropriation of \$17,000,000, appropriated \$5,000,000 less than that and then took \$5,000,000 of the \$10,000,000 and placed it for general use of the board and left the other \$5,000,000 to be under the same restrictions with the President. To make clear those amounts separated in that way it was necessary to put in this language. It does not put forward any new proposition at all. It is merely retaining the proposition which was made last year as to one-half of it and relieving the other half of that restriction.

Mr. FLETCHER. That is perfectly clear; but I had the impression that the proviso which the committee reports on page 35 would leave the whole \$10,000,000, which would include the \$5,000,000 provided for on page 34, subject to the approval of the President. I think we ought, as the House did, to appropriate \$17,000,000. If that is what the committee intended to do and if the amendment suggested by the Senator from Washington will accomplish that purpose, I have no objection to the proviso. But I still think that the proviso ought to be modified so as to make it plain that it only applies to \$5,000,000 of that fund.

Mr. LENROOT. Mr. President, may I inquire what is the unexpended balance of the \$10,000,000?

Mr. FLETCHER. I think, perhaps the amendment proposed by the Senator from Washington will make it clear. If it is the understanding that the \$5,000,000 added to the \$5,000,000 is to be appropriated without necessitating the approval of the President at all, then the point is clear.

Mr. WARREN. The Senator from Wisconsin asks what proportion of the fund has been expended of the \$10,000,000. I do not understand that any portion of it has been expended.

Mr. FLETCHER. I think not. If we leave that to the approval of the President, none of it would be expended. That is what I am afraid of.

Mr. WARREN. I hope it may not be expended. It is just a matter of insurance.

Mr. FLETCHER. The figures show that the board last year did not overestimate the cost of this operation. They estimated it at \$17,500,000. I think they are perhaps not at all exceeding the amount which they will require in making that estimate. I am willing to make it \$500,000 less and give them the \$17,000,000 without requiring them to go to the President to ask for his approval, and in that way avoid putting the additional burden on the Executive of inquiring whether the expenditure is justified and warranted or not. If the committee is satisfied that that would be accomplished by the amendment of the Senator from Washington, I am perfectly willing to let it go at that.

Mr. JONES of Washington. I will say to the Senator from Florida that the committee felt that, worded as the provision is, it would take care of the situation. I am simply proposing this amendment on my own responsibility, because the same doubts about the matter which the Senator has expressed have arisen in my mind; but I know that the committee in reporting this proviso as it is did it with the idea that that would leave the \$17,000,000 available without having to come to the President for his approval as to the expenditure of any part of it.

Mr. SMOOT. And the committee did just exactly what the committee was requested to do by the representatives of the Shipping Board, and reported here just the wording that the representative of the Shipping Board asked the committee to report.

Mr. FLETCHER. I think the language as now framed leaves the matter very ambiguous and uncertain. It is quite clear in my mind, merely from a hasty reading of the language, that the proviso leaves the expenditure of the \$5,000,000 subject to the approval of the President. However, I believe the amendment of the Senator from Washington, if adopted, will clear that matter up and leave it, perhaps, without objection.

Mr. LENROOT. Mr. President, in the first place I desire to say that I do not see how there can be any possible question concerning the construction of the proviso. The proviso reads:

That no expenditure shall be made for the purposes of this paragraph from this sum without the prior approval of the President of the United States.

How could language be any plainer than that?

Mr. FLETCHER. But the bill provides on page 34, line 4:

(b) Twelve million dollars, and in addition not to exceed \$5,000,000 of the special appropriation of \$10,000,000 contained in the independent offices appropriation act for the fiscal year 1927 and reappropriated by this act.

When it comes to reappropriating the sum, however, the proviso is added that it may not be expended except by the consent of the President.

Mr. LENROOT. No; any expenditure under the language on page 34 could not be for the purposes of the paragraph which is found on page 35; that would be impossible. The approval of the President is only required when an expenditure is made out of this fund, no matter what it is, for the purpose of carrying out that paragraph. The language is as plain as it can be made.

Mr. FLETCHER. But the whole appropriation is for the particular purpose of operating ships which have been taken back after they have been sold, and the whole \$10,000,000 is for that purpose.

Mr. LENROOT. No; it applies only to ships which have been "taken back from purchasers by reason of competition or other methods employed by foreign ship owners or operators." That is the limitation of the paragraph.

Mr. FLETCHER. The whole \$10,000,000 is to be used for that purpose; and it is provided that none of the \$10,000,000 may be expended without the approval of the President.

Mr. LENROOT. "For the purposes of this paragraph." It does not say that none of the \$10,000,000 can be expended without the approval of the President, but none of the money can be expended for the purposes named in the paragraph without the approval of the President.

Mr. FLETCHER. But the purposes of the paragraph are expressed as covering the operation of ships which have been taken back after they have been sold.

Mr. LENROOT. Only if they have been taken back for certain reasons.

Mr. FLETCHER. I understand; but the bill proposes to give the Shipping Board an appropriation of \$17,000,000.

Mr. LENROOT. Certainly; and they will have it.

Mr. FLETCHER. I very much question whether they will have it with this proviso inserted unless the amendment proposed by the Senator from Washington [Mr. Jones] shall be agreed to.

Mr. WARREN. Mr. President, the President will not have anything at all to do with the \$5,000,000. Let me read the paragraph. There are \$5,000,000 appropriated out of the \$10,000,000 in addition to the \$12,000,000, making \$17,000,000; there is no doubt about that. Now, turning to page 35, the language reads:

To enable the United States Shipping Board Emergency Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators, there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000 made for similar purposes in the independent offices appropriation act for the fiscal year 1927: *Provided*, That no expenditure shall be made for the purposes of this paragraph from this sum without the prior approval of the President of the United States.

The original appropriation of the \$10,000,000, of course, contained the same language and was subject to the same inhibition that it should not be expended except under the President's approval; so that as the bill now stands there is an appropriation of \$17,000,000 unreservedly for the Shipping Board and an appropriation of \$5,000,000 the expenditure of which is subject to approval of the President.

Mr. FLETCHER. Mr. President, I think the safest course to pursue would be to make the point of order against the proviso.

Mr. JONES of Washington. Mr. President, I ask unanimous consent to offer, on page 34, the amendment which I propose. I think, if adopted, that amendment will make perfectly clear to the Senator from Florida what the committee desire to do. Frankly, I do not believe the amendment to be necessary, but I would like to see it adopted.

I have very high respect for the opinion of the Senator from Florida; and, so as to make it perfectly plain that we will accomplish by this provision what we desire, I should like to offer an amendment to come in on page 34. I want also to say that my judgment is if the proviso shall be eliminated then we will be in a very doubtful position. I doubt very much if any of this money could be expended without the approval of the President. So I ask unanimous consent to offer, on page 34, after the word "act" in line 8, the words "to be used without the prior approval of the President."

The VICE PRESIDENT. Is there objection? Without objection, the amendment is agreed to.

Does the Senator from Florida withdraw his point of order?

Mr. FLETCHER. Yes; I withdraw the point of order. I think that is an excellent amendment, and, if that is the intention of the Senate, I want to have it understood that the \$17,000,000 is to be appropriated without any portion of it being subject to the President's approval.

Mr. LENROOT. Mr. President, I do not think there ought to be any misunderstanding here. Of course, the language is "and in addition not to exceed \$5,000,000." It might be less than \$5,000,000 under the language of the bill.

Mr. FLETCHER. Yes.

Mr. LENROOT. And therefore more than \$5,000,000 might be subject to the approval of the President under the language as it stands. It is bound to be so. I want to take this opportunity of saying that if it is the intention to apply \$5,000,000 of this sum for the purposes mentioned on page 35, it ought not to be done in this way. If we are going to have \$5,000,000 as a special appropriation for "fighting" ships, \$5,000,000 should be appropriated for that purpose and \$17,000,000 for the other purposes. It ought not to be in such form as this.

Mr. FLETCHER. I would rather have it in that way.

Mr. LENROOT. That is the way in which it ought to be if that is what is intended.

Mr. FLETCHER. But I do not want the language "not to exceed \$5,000,000," because it may be that they will get through with an expenditure of \$15,000,000 or \$16,000,000 next year. We have been reducing these expenditures.

Mr. LENROOT. I want no understanding from the debate on this floor that the Shipping Board is expected to apply \$5,000,000 here, because if that is the intention the bill should so provide.

Mr. JONES of Washington. They are only permitted to apply what may be absolutely necessary.

Mr. LENROOT. I understand that.

Mr. JONES of Washington. That is all.

Mr. LENROOT. And the President's approval will apply to the entire \$10,000,000, less such sum as the Shipping Board finds necessary up to \$5,000,000.

Mr. JONES of Washington. Yes; up to \$5,000,000.

Mr. FLETCHER. But we confine the President's approval to the use of the money mentioned on page 35 for the purposes there provided.

Mr. WARREN. Mr. President, I offer the amendment which I send to the desk. I hope the Senator from Florida will permit the Secretary to read the amendment. It is to come in on page 35. It is not directed, of course, particularly to the point which the Senator has made, but I think it will make the provision a little plainer.

The VICE PRESIDENT. The amendment offered by the Senator from Wyoming will be stated.

The CHIEF CLERK. On page 35, line 2, after the word "corporation," it is proposed to insert the following:

to make loans to purchasers of ships, and

Mr. LENROOT. I make the point of order against that amendment as being general legislation, prohibited by the rule.

The VICE PRESIDENT. The point of order is well taken.

The reading of the bill was resumed.

The next amendment was, under the heading "United States Veterans' Bureau," on page 39, line 3, before the word "accruing," to strike out "remains" and insert "remains," and in line 4, after the word "fiscal" where it occurs the second time,



to strike out "years") and insert "years," so as to make the paragraph read:

Medical and hospital services: For medical, surgical, dental, dispensary, and hospital services and facilities, convalescent care, necessary and reasonable aftercare, welfare of, nursing, prosthetic appliances (including special clothing made necessary by the wearing of prosthetic appliances prescribed by the bureau), medical examinations, funeral, burial, and other incidental expenses (including preparation for shipment and transportation of remains) accruing during the fiscal year 1928 or in prior fiscal years, traveling expenses, and supplies, and not exceeding \$100,000 for library books, magazines, and papers for beneficiaries of the United States Veterans' Bureau, court or other expenses incident to any investigation or court proceeding for the appointment or removal of any guardian, curator, conservator, or other person legally vested with the care of the claimant or his estate, or in connection with the administration of such estate by such fiduciaries, including court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, \$25,275,000.

Mr. HEFLIN. Mr. President, on last Saturday, when I was addressing the Senate—

Mr. WARREN. Will the Senator wait a moment until we can have a vote on the amendment that is now before the Senate?

Mr. HEFLIN. I wish to speak while the amendment is pending and I will not take very much time if I am not disturbed.

Mr. WARREN. Then I hope the Senator will not be disturbed.

#### RELATIONS WITH MEXICO

Mr. HEFLIN. Mr. President, on Saturday last when I was discussing a very important question here the Senator from Massachusetts [Mr. GILBERT] made a point of order against me and demanded that the Senate proceed with the regular order. So I was not permitted to finish saying what I was trying to say about the resolution passed by the Knights of Columbus at Philadelphia in August last year. I had stated some of the things in that resolution, and I am now going to state some other things in it.

Since I brought this thing to the attention of the American people, who are entitled to know who is seeking to involve us in war with a foreign country, who are entitled to know everything about the efforts being made to involve this great country in war with a foreign country, some of the newspapers have said that I injected the religious issue into this controversy. I deny that, Mr. President. The resolution speaks for itself. It was passed by the Knights of Columbus, who, of course, are Catholics, and the whole trend of the resolution shows a plain desire for war. I read to the Senate what that resolution said to the President, that the time for watchful waiting was over, and they did not request that certain steps be taken, but demanded of the Government that certain steps be taken to stop what they wanted stopped in Mexico. That demand is in the resolution.

I called the attention of the Senate and the country to the statement in the resolution that the Knights of Columbus criticized their own Government for its attitude toward Mexico and expressed sympathy with the Knights of Columbus of Mexico and pledged them their support, and they raised at that convention in Philadelphia \$1,000,000 to carry on their propaganda. That is not denied. It can not be denied.

Now I want the country to know to what extent the Knights of Columbus control the press. I do not intend that this serious question in the Capital of the Nation, that may ultimately cost the lives of thousands of American boys, shall be camouflaged and covered up. I want the country to know what I say upon this subject by reading the RECORD and not by some of the press reports that go out from the Capitol; and I want to ask this question of the country now, if the press, or any portion of it, at this Capitol is going to be permitted to suppress the truth regarding this great question?

I do not intend that the Knights of Columbus or any other group of people in the United States shall suppress the truth that the people of this Government are entitled to have. I am going to try to see that we have a fair deal; and, to the end that the CONGRESSIONAL RECORD will show it, I will state that I have prepared 24 copies of a statement which I am going to make in a moment, and I am sending them to the press gallery so that every newspaper in the country can have access to the statement. I am going to watch the newspapers, and I am going to have the committee in the Library on legislation go over the papers and report to me just what newspaper space the American people are going to have accorded to them for

the purpose of giving to them the truth about their servants here who are trying to prevent war with Mexico.

Mr. President, to show by Knights of Columbus documents just what they are driving at, I read from a pamphlet printed by the Knights of Columbus. It is their official organ in the United States. I read from an article on page 9 entitled "Mexico's constitution" from a Knights of Columbus pamphlet; at the top of the front page in big letters is the word "Mexico"; under the word "Mexico" on the front page a large hand reaching down and a picture of the Catholic Church right under the hand, as if it were about to be plucked up; right under that the words "Knights of Columbus Supreme Council, New Haven, Conn., 1926."

Now, listen:

The real intent of the framers of the constitution [of Mexico] seems to have been the destruction of religion, at least it hampers and restricts religious activities.

Now, let me read from another copy of the Knights of Columbus pamphlet. On the front page are the words, "Red Mexico: The Facts." Before I do that, however, I want to refer again to the resolution passed by the Knights of Columbus at Philadelphia. Now, get this language:

Ministers of all religions are denied the right to exercise their sacred function. Profession and vocation are prohibited. The right to take sacred vows for the service of God is denied, freedom of conscience—

And so forth.

Following this action by the Knights of Columbus in Philadelphia, which shows that the propaganda was widespread, that everything was ready to be touched off, an article was written to the Chicago Tribune from San Antonio, Tex., down on the Mexican border, the next day after this resolution appeared in the press of the United States. Listen to this. It is found on page 10 of this Knights of Columbus pamphlet.

Mr. President, I ask that there be order on the Republican side.

The VICE PRESIDENT. The Senate will be in order.

Mr. LENROOT. I also ask for order on the Democratic side.

Mr. HEFLIN. There is perfect order on the Democratic side, Mr. President. The Democrats are here in their places, and they are listening, and some Republicans are listening, I am glad to say; but it does not make any difference to me personally whether the other Republicans listen or not. They do not have to stay here and encourage me to give the facts to the country. I intend to do that.

Here is the article that appeared in the Chicago Tribune the next day after this Knights of Columbus resolution was published in the papers of the United States:

Mexico and the United States have reached an impasse.

Which means that they are ready to go to fighting right now. Something must be done at once. The Knights of Columbus have spoken. The word has gone forth; the Army must be marshaled, the flag unfurled, and across the border line into Mexico our soldiers must go, because the edict has gone out from the Knights of Columbus in Philadelphia.

Listen: Now, let me show you how intimate this man appears to be with those who represent the United States in Mexico:

More than 500 notes calling the attention of the Mexican Government to its failures have been written by American Ambassador James Sheffield to the Mexican Government. It is said—

Listen to this—

that the answers have, without exception, been evasions or direct refusals to act.

Was Mr. Sheffield telling this man about these notes? Was he writing this large number of notes for a purpose? Was he in any way engaged in this war propaganda? God forbid!

The situation—

He goes on to say—

is such that Mr. Sheffield is leaving Mexico City on August 13 to report personally to President Coolidge.

Why, Mr. President, a blind man can see the handwriting on the wall. This resolution appeared on August 6. This article appeared on August 8, and Sheffield comes to Washington on August 13, and this man says that none of the answers to our notes were satisfactory. This man knew more than Senators know. I have not yet been permitted to see what these answers are. Other Senators and other Members of the House are as much in the dark as I am on the subject; but this man who is carrying on a part of the propaganda,

who voices the sentiments of the Knights of Columbus—because they print it in their pamphlet—he knows, and he is telling some things.

Now, listen:

Everything that can be done by diplomacy has been done, it is said—

Who told him that? Who took this man into his confidence? Who is it that is giving out state secrets? Who is it that is telling a man who is writing an article which appeared later in the pamphlet of the Knights of Columbus just what is going on, and not letting the Congress and the country know what is going on?

Continuing, he said:

and the opinion in informed circles is that the administration is faced with the necessity of giving way to Mexican arrogance or making President Calles understand that unless he lives up to his agreements another form of action must follow.

Mr. President, there you are, with everything cut and dried, only awaiting the glistening of the bayonet and the march of the Army. Now, if you say I injected the religious issue, let me read to you a congratulatory telegram, or a portion of it, from a Catholic bishop to the Knights of Columbus on the resolution passed at Philadelphia. Let us see whether he is speaking about America and American rights, or whether he has in mind the Catholic Church. Here it is, on page 9 of the Knights of Columbus pamphlet. I read, in big headlines:

#### APPROBATION

This opportunity is taken to congratulate the Knights of Columbus on the splendid pronouncement concerning the Mexican situation. It seemed to have aroused a dormant element in his country and to have shown it that American Catholics may not, with impunity, be disregarded and slighted.

D. CARDINAL DOUGHERTY,  
*Archbishop of Philadelphia.*

This Catholic bishop seemed to think that the things demanded in the resolution were of particular interest to Catholics. Now, I am going to read from the statement that I have sent to the press gallery.

Mr. President, in an article appearing in the January number of the New Age, a magazine published here in the Capital of the Nation, there is a fine comparison of the old and new constitutions of Mexico by Albert H. Putney, director of the School of the Political Sciences of the American University, Washington, D. C. Among other things he says:

The old constitution to which the Roman Catholics look back with longing had the following provision relative to the right of religious worship:

"ART. 2. The nation professes the Roman Catholic apostolic religion, and will not tolerate the public worship of any other."

Let me read that again. Article 2 of the old Mexican constitution said:

The nation professes the Roman Catholic apostolic religion, and will not tolerate the public worship of any other.

Then Mr. Putney says:

This is the law which they approve. This is their idea of religious liberty, and this is the constitutional provision which they are fighting to have restored.

And is our Army to go off to fight for such a purpose? Are the Catholic boys and the Protestant boys and the other boys of the United States to be summoned to the firing line, armed and equipped for battle, and sent to a foreign field to restore a constitution that denies freedom of religion, to restore the Catholic Church to power in Mexico?

Mr. Putney says that is what they are fighting for.

Again, he says:

The new constitution contains the following provisions:

Listen to this, Senators:

ART. 24. Every man is free to embrace the religion of his choice and to practice such ceremony, devotions, or observances of their respective creed, either in places of public worship or at home.

That sounds like some of the provisions in the American Constitution.

Article 130—

Mr. President, I ask that I have order on the Republican side.

The VICE PRESIDENT rapped with his gavel.

Mr. HEFLIN. Article 130 of the new Mexican constitution provides:

The Congress shall not enact any law establishing or forbidding any religion whatsoever.

Commenting on the last two articles, Mr. Putney said:

These are the provisions which they consider religious persecution and which they are fighting to have repealed.

Mr. President, let me read what the President of Mexico himself said upon that subject:

It is untrue that we interfere with the religious convictions of any human being.

In the face of the new constitution of Mexico, and the statements of the President of Mexico, the Knights of Columbus of the United States, strange to say, are still spreading a propaganda in this country to the effect that the Mexican Government is destroying religious freedom in Mexico. The facts do not sustain the charge.

Mr. President, I will not take the time of the Senate to read, but I shall ask to print at this place a statement from the President of Mexico replying to the letter of the Catholic bishops of the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

The reply is as follows:

#### MEXICO'S PRESIDENT SPEAKS

In a series of articles appearing in Liberty, heretofore mentioned in these columns, Sidney Sutherland, in the November 20 issue, published the views of President Calles, as obtained by him in a personal interview. No wonder Rome is turning heaven and earth trying to force Uncle Sam to drive Calles from power. You will say so yourself after reading Calles's interview which we reproduce below, even at this late day, because it yet remains the best answer to the late pastoral letter of the Romish bishops in the United States:

The President stood near a window overlooking the valley which rolls entrancingly beautiful away from the eminence crowned by the historic castle of Chapultepec toward the eternal snows of Popocatepetl and Iztaccihuatl. His somewhat harsh voice came across the room as, hands clasped behind him, he leaned against the waist-high sill. Somebody had fortified him with points to emphasize in condemning the ancient faith.

"Why be blind, why fool ourselves about the rôle the Roman Catholic Church has played in Mexico for 400 years?"

"There has never been bloodshed in Mexico that the Catholic Church has not been largely responsible for it. Her modern boast that two priests, Hidalgo and Morelos, helped us win our independence from Spain means nothing, because she is an organization that prospers by taking advantage of expedients. And when we did gain our freedom the church made those two heroes and their companions incorporate her in our magna charta as the state religion. What she could not prevent—our independence—she appropriated to her own ends. George Washington was a Mason; yet Masonry did not insist on being made the official spiritual organization of the United States.

"The Catholic Church seized four-fifths of the lands of Mexico in our early days. She dominated our internal politics and dictated our external policies. As we struggled toward the light she made an Emperor of Augustin de Iturbide to hold the poor in chains. Later she took advantage of your Civil War and enthroned Maximilian and Carlotta on Chapultepec. Cowardly as ever, she deserted the former when he was sentenced to the firing squad, and drove the latter insane by refusing to ask Juarez to spare her husband's life.

"The church supported Porfirio Diaz for 30 years. He made a dead letter of the constitution of 1857 in exchange for the church's cooperation in his brutal policy of keeping our poor people in bondage. The modern world now knows that if the dictator increased our material wealth he did it by betraying his people to the mercies of foreign concessionaires and that he did nothing for the soul of our beloved land.

"Always, I repeat, the Roman Catholic Church has prospered in direct ratio to the ignorance and misery about her. And when General Obregon and I tried to do something for our poor, unhappy, landless countrymen, vested business screamed 'Bolshevism!' and the Catholic Church howled 'Atheism!'

"Not meddle in politics? The church has never done anything in all her dreadful career except meddle in politics! Look at what she did to England when Henry VIII broke away from her. Look at what she did to Germany when Martin Luther left her in disgust. Look at what she did to Savonarola when he tried to reform the evil clergy. Look at what she tried at first to do to Ignatius Loyola, until she found there was a place in her hierarchy for that fierce warrior.

"Look at what she tried to do to France when that enlightened Republic wearied of the costly cancer the priesthood had become. Look at what she has tried to do to Italy since her temporal boundaries were circumscribed to the premises of the Vatican. Look at what she did just recently, when Spain tried to wrench away from a state religion but did not have the strength.



"Look, indeed, at what the church has done in every land that has awakened from the nightmare of Catholicism and stepped forth into the light of reason and of science. Look at her Index Expurgatorius and find there the roll call of all men who have made the world a better place to live in.

"Not meddle in politics? Why right this moment the Knights of Columbus and the organized church in the United States are trying to force Washington to intervene in Mexican matters. That a war might follow such intervention (and I hasten to say that nothing of the sort will happen, because there are a hundred million non-Catholics in America who will not permit the American Government to pull the Pope's chestnuts out of the Mexican fire); that thousands of young American lives might be lost in such a war; that it would be a long and costly and profitless conflict; that your taxes and prices would rise and your mothers' hearts be torn by anguish—all this means nothing to the Catholic Church if it could once again seat its priesthood in the saddle here.

"Fanaticism, of course, is not limited to the Catholic Church. There are Protestants and unbelievers equally rabid. Yet I wonder if there is not something worth heeding in the declarations of the latter that this would be a dangerous time for the United States to have a Roman Catholic President.

"Could not such an Executive cause confusion and anxiety, to say nothing of actual trouble, if he decided to withdraw recognition from my Government, lift the embargo on arms, and permit the equipping by American Catholics of every rascal and adventurer and rebel who would overthrow me to enrich himself and restore Catholicism to its quondam predominance in Mexico?

"Why shouldn't the Catholic priesthood, which is causing all this turmoil here and abroad, register and otherwise comply with our basic law? And I'll tell you specifically just what this Government objects to in the attitude of this rebellious and treasonable religious corporation.

"What could be more revolutionary and disturbing to public peace and order than the pastoral letter issued by the archbishops and bishops of Mexico on July 25? The falsehoods contained therein and the incitements to disobedience and violence it suggests are sufficient justification for any steps this Government might see fit to take.

"It is untrue that the measures we are enforcing in any way hinder preaching, the administering of sacraments, or the practicing of other rituals of the Catholic Church. It is untrue that we interfere with the religious convictions of any human being. I take it that it is not necessary to the proper practice of a religious cult to allow priests to mingle in politics and appear on the streets in distinctive clerical garb, as though they were divinely ordained to immunity and veneration, or to withhold from the authorities the statistical data our archives require in the matter of what property we are disposed to let the church use for religious purposes.

"What is wrong about requiring the church to inventory and report the property it is using? It doesn't belong to the priesthood, but it does belong to the nation. Don't business corporations, doctors, lawyers, fraternal societies, etc., have to register, pay license and taxes, and keep their books open for official inspection? Since when, outside the church, is the clergy divine or exempt from the laws of man? I never heard that an earthquake or a flood distinguished between a law-abiding dry-goods store and a law-defying church.

"This defiant pastoral letter merely voices the fear of the clergy that it is about to be actually deprived of what for nearly 70 years it has illegally held—buildings and lands and gold and silver they were constitutionally deprived of after they had stolen them for three and a half centuries from a docile, ignorant, and helpless people.

"Let me tell you one significant thing that you may or may not have noticed in your strolls about this capital. Now, whether the so-called National Catholic Church, the schismatic organization that functions in the Church of Corpus Christi, on Avenida Juarez, is a divine cult or a renegade group, as the Roman Catholics call it, one thing can not be denied:

"It is the only Catholic Church in all the Republic of Mexico that has a flagpole above the cross! It is the only Catholic Church of the thousands that dot our country that has ever flown the Mexican flag. On all others the cross stands highest and supreme. There seems to be no room for love of country as symbolized in the display of our flag on any Catholic Church in this land.

"But let me tell you something"—and Plutarco Elias Calles strode forward from the window where he had stood throughout his long and uninterrupted statement, drew his heavy brows into a rigid black line, and pounded his right fist into the palm of his left hand.

"Mark my words: Before I have finished the flag of the Republic of Mexico will float above every building where to-day the Roman cross looks contemptuously down on a land it has robbed and betrayed for 400 years!"

My friend Harvey, you may or may not agree with one syllable of what the President said, but you are impressed by this Sonora Indian when he leans across a table and points a trembling finger at your nose and you gaze fascinated into the blazing dark eyes he fastens on you.

And as you listen attentively to learn if his tumbling phrases contain aught that is earnest and born of conviction, or merely consist of parrotlike sentences, rehearsed and hollow and counterfeit, you wonder how the Catholic episcopate of Mexico is going to answer his charges and assertions.

Sincerely yours,

SIDNEY SUTHERLAND.

Mr. HEFLIN. I want to say just another word about war, and read a line or two from the New York World. It says:

By virtue of the memorandum on communism in Latin America which he has submitted to the Senate Committee on Foreign Relations, Secretary Kellogg has gone over to the war party which now dominates the State Department. The war party is almost in control. It has captured Mr. Kellogg. It is causing the profoundest embarrassment to the President.

Why do not more Senators speak out, come to the rescue of the President, and relieve him of his embarrassment, and tell him, who sits at the head of the only Christian Nation on earth, declared to be so by the Supreme Court, to reach his hand over the line to the Mexican President, and say, "We will arbitrate any difference that we have. We will settle our quarrel in the halls of peace, without the shouldering of a gun or the shedding of a drop of blood."

We, who are professing to be for peace on earth and good will to men are fast being dragged into a war to protect the oil interests of Doheny and Sinclair, and others of their ilk, and to help return to political power the Catholic Church in Mexico.

Are we going to do that? Mr. President, I said the other day that I am opposed to taking our Army off to further the cause of the Protestant Church, the Catholic Church, the Hebrew Church, or any other church. We have in the United States absolute separation of church and state, and Mexico has followed in our footsteps. In her new constitution she has separation of church and state, and now we are urged to send an army over to destroy the constitution that puts Mexico on the same basis with us, and to go back to the constitution that declared that no Protestant or other religion will be tolerated in Mexico.

The Army of the United States can not be used for that purpose without my solemn protest and earnest opposition. Not a single American boy can be killed for that purpose without American men and women of this Nation knowing what is at the bottom of it.

The New York World continues:

The present difficulties with Mexico can not be peaceably composed unless the Administration desires peace. There are grounds of legitimate dispute between the two Governments. The rights and the wrongs are not wholly on either side. But there is no question at issue between Mexico and the United States which is not susceptible ultimately of pacific settlement by men who are determined to maintain the peace. The resources of civilized dealing are not exhausted. They have not even been used. All that we have had so far is a debate at arm's length between smart and suspicious bureaucrats.

Listen to this, Senators:

We have not yet had an American ambassador in Mexico City who desired seriously to come to a direct personal understanding with officials who are beset on every side by the tremendous problems and the resultant hysteria of a social revolution and a religious reformation.

Mr. President, there is a plain, clear-cut charge laid before the American people by a big daily paper in the United States saying that our representative in Mexico does not want peace, and insinuating that his influence is on the side of war.

If I were to sit here, knowing these facts, and fail to disclose them, I would be a contemptible coward; I would not be worthy to represent the great people who sent me here or to speak, in part, for the rank and file of the American people, whose interests I am trying to serve and safeguard.

Let us help the President to know the whole truth. Mr. President, I hope the President will do all in his power to avoid war. This great Government will show no cowardice, but will show a big, brave heart, a splendid love of peace, and a proper consideration for the lives of its own sons, if our President will say to Calles, "Let us get together and iron out our differences, and not kill any of the boys of your country or of mine. Let us settle our differences regarding property rights and all other differences in the halls of peace." That is what I want the President to do.

I want to bring one more thing to the attention of the Senate and the country, and that is the President's message, in which he told us that some of our bankers had bought a few

million dollars' worth of Nicaraguan bonds. They bought those bonds at their own risk. They bought them at a discount, when they were away down, and now are we ready to set a precedent, to say that an American citizen may go abroad, go into the hotbed of insurrection and war, and make an investment, and then come back and call for the armies of the United States to go over and protect his investment? They took their money out of the United States; they left their own country and went over and invested their money in a hazardous situation abroad. They took a chance, and now we are called upon to do the new, strange, and ridiculous thing—to lead an army and take our battleships to a foreign country to collect the bonds of reckless adventurers who have bought for a small price the bonds of warring governments in a foreign country. Let the country know the truth and the whole truth.

Mr. BRUCE rose.

Mr. HEFLIN. I yield to the Senator.

Mr. BRUCE. I will wait until the Senator is through.

Mr. HEFLIN. Does the Senator want to ask me a question?

Mr. BRUCE. No; I will wait until the Senator is through. I want to make some comments on what the Senator has said, as it deeply affects a very large portion of the population of my State.

Mr. HEFLIN. Mr. President, I yield now to give the Senator a chance to say something, and I may have some observations to make when he is through.

Mr. BRUCE. Mr. President, I shall say very little, because it would be the easiest thing in the world unduly to dignify the distempered words of the Senator from Alabama [Mr. HEFLIN]. My first feeling is simply one of regret that he should not have left such observations as he has made to the Hon. Bibb Graves, the grand cyclops of the Ku-Klux Klan organization, who has just been inaugurated as the Governor of Alabama.

I am happy to say that I live in a State of which the noblest tradition is religious tolerance. I have been active in the public life of that State for more than 40 years, and if, in all that time, one single ballot that has gone into the ballot box has been influenced by sectarian considerations, I personally am not aware of it. From the very beginning, the people of all sects in our State have lived in harmony, mutual understanding, and unity with each other.

In the State of Maryland the party of which the Senator from Alabama is a member, and of which I am a member, is largely composed of Catholics. If they were to give way to such intolerant impulses as those to which the Senator has given expression, it might be impossible for me, or any other Protestant in the State of Maryland, to be elected to any elective office. They have never descended to the ignoble level of doing anything of the sort.

The candidates of both parties in our State are nominated and elected undistinguishably whether Protestants or Catholics. Indeed, I am happy to say that one of the most brilliant men in the recent history of the State of Maryland elected to high office by the suffrage of its people, namely, the late Isidor Rayner, was a Jew.

All that I wish to say—all, it seems to me, that it is becoming for me to say—in connection with what the Senator from Alabama has said, is merely this, that I am connected by every possible tie—official, social, and personal—with the Catholic element of our Maryland population. Some of the men and women in that State whom I love most dearly are Catholics. No such thing as sectarian considerations has ever since the earlier stages of our history entered into our political vicissitudes or conflicts.

Above all, no such thing as profound sectarian prejudices ever enter into the general social and personal relations of our people. To give an illustration of how free our public life is from such prejudices, we have in Baltimore city a probate court. To that probate court three individuals have been elected and reelected over and over again in recent years, one a Catholic, one a Protestant, and one a Jew; and they run right along together at elections. That is but one specific illustration which I might give of the perfect good feeling that prevails between all sects in Maryland.

But to get back to the one thing that I desire to say, I wish to affirm that since this Mexican situation has arisen, notwithstanding the close, intimate ties which exist between me and my Catholic fellow citizens in the State of Maryland, and notwithstanding my ready accessibility to the suggestions or the advice of Catholic prelates, ecclesiastics, and priests in that State, for they all know that there is nothing that I abominate as I do religious bigotry—not one single Catholic prelate, not one single Catholic ecclesiastic, not one single Catholic priest has ever approached me in an effort to influence in the slightest degree in any manner my views with regard to the present Mexican situation.

We have in the State of Maryland one of the strongest Knights of Columbus organizations in the country, and so far as I can see its energies, its influence, and its example have been of nothing but unqualified public value to the people of the State of Maryland. I almost scorn to say that they are just as public-spirited, just as patriotic, just as disinterested in every public sense as I or any other Senator in this body. What members of any auxiliary association of the kind, I ask, were nearer to the firing line during the World War than the Knights of Columbus? As I said to a Senator some time ago, who told me that there was considerable anti-Catholic sentiment in his State, "The trouble in your State is that you have not enough Catholics. You seem to think of the Catholic as if he were a raw-head and bloody-bones, a kind of ogre, some sort of monster swayed by entirely different feelings, sentiments, and impulses from the rest of us. If you had a few more Catholics in your State you would not indulge in such a gross misconception of the character of our Catholic fellow citizens. You would find that they are precisely like all other Americans, except that they adhere to a special religious creed."

Of course, there is much more that I could say if it had been my intent to make a reply in any measure coextensive with the observations of the Senator from Alabama, but such was not and is not my intent. I trust that I have at least said enough to make the Members of this body feel how unjust, how wrongful, how untimely are such comments as those which, I deeply regret to say, have fallen from the lips of the Senator from Alabama. Once a distinguished Senator of this body, the late Allen G. Thurman, "the noblest Roman of them all," as he used to be called in my boyhood, said of something that it was the flimsiest bubble that had ever found lodgment in an empty head. So I say that this idea that our Catholic citizens, bound to us by a thousand ties of sympathy, friendship, love, affection, and patriotic loyalty, are eager for the gratification of a mere sectarian impulse to plunge this country, which is their country in every sense that it is ours, into war, might well be described in the same terms.

Mr. REED of Missouri obtained the floor.

Mr. HEFLIN. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Alabama?

Mr. REED of Missouri. I yield.

Mr. HEFLIN. Mr. President—

The VICE PRESIDENT. The Senator from Missouri has yielded to the Senator from Alabama.

Mr. HEFLIN. I announced to the Chair that as soon as the Senator from Maryland was through I would undertake to follow him with some observations.

The VICE PRESIDENT. The Senator from Missouri was on his feet and was recognized by the Chair. The Senator from Missouri can not yield for the purpose of another Senator making a speech.

Mr. REED of Missouri. I have yielded the floor.

The VICE PRESIDENT. The Senator from Missouri has yielded the floor to the Senator from Alabama.

Mr. HEFLIN. Mr. President, I have been bitterly attacked outside of this Chamber by those who favor war, those who are influenced by the oil kings, the Nicaraguan bondholders, and by the Knights of Columbus. This is the first time that anyone has spoken in this Chamber in defense of the resolution of the Knights of Columbus, except the Senator from Montana [Mr. WALSH], who the other day had printed in the RECORD a letter from the Catholic bishops of the United States, and who also submitted a denunciation of myself by the head of the Knights of Columbus in the United States. I permitted that to be printed in the RECORD. I want to be entirely fair with everybody. I am trying to give to the country the facts as I know them, and because I have dared to call to the attention of the Senate a resolution passed in Philadelphia by the Knights of Columbus, Catholics, of course, and have commented on it in this Chamber and have read comments from the Knights of Columbus and from their pamphlets, two of which I hold in my hand, the Senator from Maryland has seen fit to indulge in some right severe language regarding myself.

I received two letters—one from his State and one from New York on the same line. One of them said that when the Catholics support a Protestant for important office he is either a near Catholic at heart or only a Protestant in name. I do not know under which head the Senator from Maryland comes. One of those letters said that a chain of Catholic papers had been tipped off to "go after HEFLIN." I can see some of their handiwork in the press gallery of this body. I have read some of the reports which have gone out from here, and some of them have garbled what I have said here on the subject and have tried to belittle the facts that I have brought into the



Senate, facts taken from the resolution passed by the Knights of Columbus.

The Senator from Maryland [Mr. Bruce] accused me of being intolerant. If intolerance means that I am going to continue to give the truth to the American people and continue to do all in my power to keep my country out of war, then I am intolerant. I do not care whether it be the Senator from Maryland, his Catholic constituents, or his Protestant constituents who criticize me. I will continue to do my duty in this matter. I have a duty to discharge. I am responsible to my people, responsible to the country to which I am trying to render a service, and responsible to my God. I owe something to these boys out yonder in the common walks of life. When this Government sounds its big, strong voice, they will have nothing to say, but will have to put on their uniforms and shoulder their guns and go off to battle. When they ask, "What are we fighting for?" I want them to know the truth. Is that intolerance?

I do not want the President to go to war with Mexico, and I am hoping that he will not do so. I want him to know how the country feels, and I will say to the Senator from Maryland that I voice on this floor the feelings of four-fifths of the rank and file of the intelligent, loyal American citizens. They do not want war. They are not ready to go and fight for Mr. Mellon's oil properties in Mexico. I will ask the Senator from Maryland to go and inquire if Lord Cowdrey, a big English oil king, has not made over his oil interests to his friend Mellon, the Secretary of the Treasury?

Oh, Mr. President, there are a lot of angles to this Mexican situation. There are a lot of influences at work. I have been warned by letters from people outside that I would be attacked, that henceforth I would be a marked man. Some of them have even warned me that I might be murdered. But none of these things frighten me. One called my attention to the murdering of two bishops in Mexico who had joined the President and were in favor of religious freedom, and that they tried to put out the word that they had had a curse brought on them by the Almighty, but that the real reason for their taking off was poison.

Mr. President, I stood on this floor last Saturday, and said God forbid that the day shall ever come when a Senator in this body will be afraid to speak the truth about a Catholic, Protestant, or anybody else. I want a Senator always to be free to stand up and speak out what he knows to be the truth. I have read statements into the Record this morning which the Senator from Maryland can not refute. They come from Catholic sources. I read a statement from the bishop of Philadelphia, where he expressed gratification that the dormant element in America—meaning the Protestants, of course—had been aroused and had shown by the Knights of Columbus resolution that the Catholics in America would not be ignored. He injected the religious issue. What was he doing but appealing to the Catholic side of the question when he sent that message?

I never raised that issue. I was in Washington when that resolution was passed. I was sitting at my breakfast table when I read it in the Post, and when I read it I laid down the paper and shook my head and went to my office and dictated a statement, which I gave out to the press. Since that time I have been attacked by several Catholic papers in the United States. Why is that? Am I in the way of their program? Am I interfering with what they are trying to do? Have I offended them by rising in my place as a Senator and seeking to bring all these disclosures to the attention of the people of the United States? Am I to be criticized and scolded by the Senator from Maryland, who has made a speech that will please every Catholic priest in Baltimore and bring down upon his obedient head the blessings of the Pope? [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries will be in order.

Mr. HEFLIN. I would love to see the ceremony that they will especially prepare for him. He has rebuked a Senator for daring to rise in the Senate and oppose a war advocated by the Knights of Columbus. Yes; he has rebuked a Senator who has lifted his voice against a movement launched in Philadelphia by the Knights of Columbus; and there are hundreds and thousands of them in Baltimore. I wonder if the Senator's eye rests on a larger circle than that which marks off the State of Maryland? I am looking to the welfare of the whole country, Maryland included. I am looking to the welfare of the Protestant men and women, the Jewish men and women, the Catholic men and women throughout the Nation; and I do not intend to sit silent here and permit these things to go on, a propaganda to be raging over the country in favor of war, without doing my part to let the country know just what is going on.

Have I offended? Whom have I offended? Nobody except those who have got a war program laid out. If I have offended, whom have I offended? Nobody except those who are trying to foment war, and their mouthpieces in this place and elsewhere. If I have offended, whom have I offended? The enemies of my country.

Anybody is at liberty to come under that classification.

I make the statement that the man who would involve this country in war because of any trouble which may now exist is not justified in doing it, Mr. President. He should not be let alone until he accomplishes his purpose. It will be too late then. The time to treat a cancer is in its incipient stage; the time to treat a disease is before it takes hold; keep it out of the system. The time to prevent war is before a gun is fired and the Army is marching to the battle front. I am doing what I have a right to do. I am giving the facts to the Senate and to the country. These records speak for themselves. They are being circulated by the Knights of Columbus. I have dared to read them in this place, and because I have dared to speak of them the Senator from Maryland—mercy upon him!—has risen in his place to deliver a lecture to an American Senator who dares to try to prevent war, to promote peace, to save the lives of American boys, and to live at peace with Mexico and other countries.

Mr. President, that is about all I care to say at this time, but I want to assure the Senator from Mexico— [Laughter.]

The VICE PRESIDENT rapped with his gavel.

Mr. HEELIN. The Senator from Maryland. He made me think of Mexico, and that was a slip of the tongue, but sometimes a slip of the tongue is in the right direction. I want to assure the Senator from Maryland and to assure the country, the peace-loving people of the country, the God-fearing people of the Nation, loyal Americans everywhere, that I shall keep up the fight; and what the Senator from Maryland has said will in no way deter me or intimidate me.

Mr. REED of Missouri. Mr. President, I do not know that we shall gain anything by prolonging a discussion of this kind. I am sorry it has occurred. So that I may remove all taint of suspicion that I speak from interested motives, I remark that I was born and reared in the Presbyterian faith; that my ancestors signed the original covenant of the Protestants of Great Britain; and that I have not a relative on earth that I know of who is not of the Protestant faith. Neither, sir, am I a member of the Ku-Klux Klan; I hope if there be a little remnant of loyalty left that is not completely absorbed, a little love of country that does not all emanate from and repose in a single breast, that in common with the other Members of this body I may be credited with at least a small degree of patriotism.

I have friends of the Catholic faith; I know many priests of the Catholic Church; I know three or four bishops and one or two archbishops; and I join the Senator from Maryland [Mr. Bruce] in the statement that no living Catholic has ever appealed to me to raise a religious dispute, to seek to stir up animosity, or to provoke war with Mexico.

Mr. President, it was the familiar statement of the late Senator Lodge—a statement which was but a quotation from others who had preceded him—"that partisanship terminated at the boundaries of the country." At that point political advantage and political animosity must be buried in a common desire to protect the interests of our country. That was a wise and proper philosophy and one we should observe to-day.

I hold no brief for Mr. Coolidge or his subordinates; I have criticized the President as freely upon this floor and elsewhere as have others; but in the difficult situation that now presents itself I do not propose to interfere with the efforts of the Executive to protect the interests of the United States until and unless it becomes manifest that he is pursuing a dangerous course. I do not want to weaken his hands in the effort he is making peacefully to settle the controversies which exist between this country and Mexico. Sir, I do not believe we are in danger of war with Mexico unless it is stirred up by intemperate speeches and intemperate articles in newspapers.

We have, as a Nation, a very great responsibility. We have said under the Monroe doctrine that no foreign government shall establish itself upon this hemisphere; and while it is not written in the Monroe doctrine in words, as we have construed that doctrine, we, in effect, warn the nations of the Eastern Hemisphere that they must not undertake the conquest of countries on this side of the ocean.

If we assert that doctrine, a certain responsibility flows from it. Other nations have interests in the countries to our south, and have a right to protect those interests if we do not see to it that reasonable protection is afforded. So the responsi-

bility falls upon us; and if we do not accept that responsibility, and other nations call upon the United States to preserve their property and protect their rights by keeping some kind of a civilized government in existence, European powers will proceed to protect their own interests. Should they do so, we may have a real war, a war that will tax every resource of our people.

We have, therefore, a difficult and delicate task, one which requires negotiations and frequently great patience. Mr. Wilson was criticized bitterly for his policy of "watchful waiting" in Mexico. Mr. Wilson was right when he sought so to conduct affairs that we would not become really engaged in a war, although we were obliged to invade that country.

Mexico has not in all respects kept faith with us. I desire to see her keep faith; but I am not unmindful of the fact that when our Government seeks to accomplish the acknowledgment and fulfillment of Mexico's obligations we have a difficult and delicate problem before us, and I am willing to give the administration a fair chance to work out that problem. If the administration is pusillanimous, if it makes no show of real earnestness, it will be criticized. If it makes a little show of earnestness, the cry is at once heard "there is going to be war."

Mr. President, there is not going to be any war with Mexico unless Mexico forces that war by violating the rights of the United States of America. I do not believe that any man connected with the administration has the slightest notion of engaging in a war because of the religious differences in Mexico.

We may regret these differences; we may look upon them with horror; but I undertake to say that we will not violate any principle of international law in order to make war upon Mexico. Nevertheless, a firm policy with Mexico is necessary. On entirely different grounds trouble may arise; but Calvin Coolidge is not going to march an army into Mexico because of a controversy about religion, and Congress would very likely balk the attempt should it be made.

There is in Mexico undoubtedly a condition, a lamentable condition; there is unquestionably brutal mistreatment not only of the Catholic Church but, I think, of all other churches that have established themselves there; but that is a question for Mexico. It is not for us. I think that is the sentiment in the hearts of the great Catholic population of this country, as it is of the non-Catholic population. There may be here and there a Catholic who takes an extreme view, as I believe if any Protestant denomination found the brethren of its faith being persecuted there would also be some of them who would take an extreme view. These things are natural; but if they exist in sporadic instances no general indictment of the Catholic Church is thereby justified; no attempt should be made to arouse prejudice against these good citizens. There has been much of that kind of appeal made in the last few years. It is a shameful appeal, by whomsoever made or wherever made. It is not a new thing. It has broken out periodically throughout the entire story of our national life; yet, sir, here is my answer:

Catholics signed the Declaration of Independence along with Protestants. Catholic and Protestant, Jew and Gentile, marched under the banners of George Washington. Catholic and Protestant, Jew and Gentile, died on every field of the Revolution.

Catholic and Protestant, Jew and Gentile, manned the ships of 1812, fought throughout the war, touched elbows behind the cotton bales at New Orleans, and mingled their blood in one common stream that victory might glorify American arms.

Catholic and Protestant, Jew and Gentile, bore our flag across the plains of Mexico and planted it in glory above the castles of the Montezumas.

Catholic and Protestant, Jew and Gentile, in the fratricidal war of 1861 rallied to the standard of the South and rallied to the banner of the North, according to the sectional lines that divided them, and with equal gallantry and courage laid down their lives upon the gory fields of that awful struggle.

And, sir, when the war with Spain came, Catholic and Protestant, Jew and Gentile, rushed to the colors and charged to death amidst a storm of Spanish bullets. On all these gory fields the Protestant nurse and the Catholic sister alike ministered to the dying and cared for the wounded. Bending above the bodies of soldiers whose souls were departing was the Catholic priest with his cross and likewise the Protestant minister with his Bible.

Then came the last Great War. We saw the soldiers as they were called from farm and factory, from office and university, from cabin and from palace. They did not come, sir, as Catholics or Protestants, as Jews or Gentiles, they came as American citizens.

They marched away with the same manly stride, with the same gleam of courage in their eyes, the same hot flame of patriotism burning in their hearts—Jew and Gentile, Catholic and Protestant. On the gory plains of France they fought and died together—Jew and Gentile, Catholic and Protestant. Amidst the storm of shot and shell, through fogs of deadly gases, Catholic boys bore from the field the torn bodies of Protestant comrades, and Protestant boys with equal fortitude gathered the helpless bodies of Catholic boys in their arms and carried them to safety.

In camp and field, in trench and hospital, the Young Men's Christian Association, the Salvation Army, the Knights of Columbus, and the Jewish societies labored in cooperation to ameliorate suffering, to assuage pain. Catholic priests and Catholic nuns, Jewish rabbis and Jewish nurses, Protestant clergymen and Protestant nurses, together with physicians of all religions and of no religion, with equal tenderness and heroism alleviated the hardships of the field and the agonies of the hospital.

There came the day of peace. The brown columns began the return march. The gold-star mothers gathered to gaze at the gaps once filled by their gallant dead. So they stood, Jewish mothers and Gentile mothers, Catholic mothers and Protestant mothers—the same pain in their heart, the same tear in their eye. The gallant survivors heard the silvery music of welcoming bands; the cheers of mighty multitudes that rose and broke like the waves of a vast ocean—cheers for the soldiers of liberty. In that moment the returning heroes found some compensation for their sacrifices. Their bosoms thrilled with pride that they had helped to save and sanctify our flag, every star of which proclaims liberty for all, equality for all, justice for all, the right to worship God according to the dictates of conscience.

They were mustered out. Yet they had scarce turned their faces toward their homes until the Catholic soldier heard the serpent hiss of proscription and saw men massing who proposed to proscribe and persecute him because he worshipped God according to the tenets of his church.

If my country means anything to me, sir, it means that its Constitution is broad enough to protect every man in the right to his faith, every man in the right to his opinion, every man in his liberty of speech, in his right of peaceable assemblage, and in his privilege to print his honest thoughts.

If this country is to live, then these fountain springs bearing the pure waters of liberty must not be polluted with the poison of hate, covered with the slime of proscription, or polluted by the spirit of intolerance. Intolerance, sir, is the child of ignorance. Give me the radius of any man's intelligence, and I will describe the circumference of his tolerance.

It is useless for the Senator from Alabama to shout, "I do not bring in religion." He has brought in the question of religion; he has thrice brought it in.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. REED of Missouri. In a moment. No good purpose is to be served. No informed person believes that the great body of our Catholic people are trying to drive us into a war with Mexico on account of religion.

Mr. HEFLIN. Mr. President, does the Senator mean that when I have read here—the Senator did not hear the resolution read—what the Knights of Columbus said, namely, that they demanded that the President stop these proceedings over there at once, that the time for watchful waiting was over—

Mr. REED of Missouri. Oh, I heard that. I do not want to have a personal argument with my friend, for, notwithstanding some of his views, which seem to me to be so far wrong, I prefer leaving all of that out of the discussion.

Mr. HEFLIN. Then I deny that I injected this issue into this body.

Mr. REED of Missouri. The Senator brought it upon this floor.

Mr. HEFLIN. I did, and I am going to bring it again.

Mr. REED of Missouri. The Senator shouted and thundered until the heavens trembled, the galleries shook with fear, whilst the stumps in the Potomac River bobbed up and down in unison with his vociferous periods. [Laughter.]

Mr. HEFLIN. And they will be bobbing again.

Mr. REED of Missouri. I dare say they will bob again. I am not going to say anything mean, although I find it pretty hard not to—

Mr. HEFLIN. The Senator may proceed, because I am going to speak when he is through.

Mr. REED of Missouri. Undoubtedly the Senator will; and so will the rivers run on. But I do not want to make this a personal matter. All I desire to say is that religion itself condemns these persecutions. The spirit of religion, of real religion, is that of tolerance. Bigotry has no place beneath



the spire of a Protestant tabernacle, under the cross of a Catholic church or within the walls of a Jewish synagogue.

Tolerance and good will, charity and kindness—these are the four angles that inhabit the temples of real religion. We ought to have some of it everywhere and always.

This much I desire to say, that if it were for me to decide, I would do as we did when there was persecution of the people in Ireland. I would use the good offices of the Government to stop persecution in Mexico. I would equally do so were the persecution directed against the Protestant churches of Mexico; I would do so even if a portion of the Mexican people were being oppressed and slaughtered. Scores and scores of times our Government has protested against wrongs and cruelties in foreign lands. Scores of times we have expressed sympathy for the unfortunate. Scores of times we have tendered our good offices without danger of war and to the credit of Christian civilization.

Mr. President, I may have angered my friend; I do not want to. I merely say that when we are forced to discuss religious questions in the Senate, he who begins the discussion must accept the responsibility. They were not here until the Senator from Alabama spoke. Of course, he has the right to protest against war. We all can protest against war. We are all against war. But against the ground of his opposition I protest and object.

In conclusion, permit me to issue this warning: War may be produced by improvident acts and foolish agitation. Incendiary editorials and inflammatory speeches made in this country will be repeated in Mexican papers and accompanied by like recriminations. The Mexican articles may then be reprinted in the United States, accompanied by still more denunciatory utterances. So the process of stirring up hatred, suspicion, and fear may be carried to such a degree as to produce a demand for war. More than one great war has been caused by similar processes. At such a time as this, patience, forbearance, and calm councils, accompanied by a spirit of fairness, ought to prevail. Such a course will in all probability avoid any serious trouble with the Republic of Mexico. An opposite course is full of menace.

Mr. HEFLIN. Mr. President, I will detain the Senate but a moment. The Senator from Missouri [Mr. REED] has drawn a beautiful picture of the brave Protestants and Catholics who fought under our flag in the World War. I would not pluck from the brow of one of them a single laurel won by their valor and heroism on the fields of France. I commend them, all of them, for their superb courage and patriotism. I supported them at the battle front and I supported them when they come back home in their demands for fair and just compensation at the hands of the Government. I have never before been accused of having any religious intolerance. I have never had occasion to say a word against the Knights of Columbus before the passage of this resolution in favor of war. When I read that resolution I felt that it was wrong in principle and fraught with grave danger to the peace and happiness of the country, and I dared to say so, not as a Protestant, but as a loyal American Senator. I did not then and do not now want war with Mexico.

Mr. President, I am serious and very much in earnest in my opposition to war. I am not seeking to offend anybody when I stand in my place here and seek to promote peace and prevent war. I am not seeking to offend Catholics; neither am I apologizing to them or anybody else for asking my Government to employ every means at its command to keep the United States out of war with Mexico. Am I to understand that I may discuss every body else who wants war with Mexico, but must not—dare not mention here the plain and pointed demand for war found in the Knights of Columbus resolution? Most of the speech of the Senator from Missouri had nothing on earth to do with this situation.

I agree with him that there were brave Catholics in the War of the Revolution, in the war between the States, and in the World War. I am not trying to take from them a single honor to which they are entitled. And everybody here knows that I have in no way criticized or reflected upon them. That has nothing to do with the question now before us. I am not talking about the past, but about what is taking place in the living present. When anybody in the present time, in a situation so dangerous as the situation with Mexico is, is doing things in the United States that encourage war, that demand war, as the Knights of Columbus resolution does, I shall continue to do everything that I can to defeat their purpose.

Mr. President, it seems that I have offended the Senator from Missouri [Mr. REED] by bringing this Knights of Columbus war resolution into the discussion in the Senate. Is not an American Senator still at liberty to read here a resolution

passed by a Roman Catholic organization which seeks to drive us into war with a foreign nation? Is he to be intimidated into cowardice and silence for fear somebody will accuse him of intolerance? Has the time come in the Senate of the United States when an American Senator is to be subjected to the bitter criticism of two of the sharpest-tongued men in this body because he dares to speak the truth about the war propaganda of the Knights of Columbus?

Am I to be accused of being a bigot and a man of intolerance because I read, not what I wrote but what the Knights of Columbus wrote in convention at Philadelphia? Am I to be criticized by these Senators for reading their criticism and their attack upon the Government of the United States? Is it injecting a religious issue into the discussion here when I read a resolution in which the Knights of Columbus said that the conditions in Mexico are encouraged and aided by the Government that they have sworn to support and sustain? Am I sinning against the Catholic Church when I dare to speak here for my country against the Knights of Columbus program for war against a foreign country?

What are we coming to in this body? Are these two Senators trying to create a situation here in the American Senate so frightful and fearful that no American Senator in the future will dare to lift his voice in any situation where a Roman Catholic is involved?

No man is fit to occupy a place in this body who is not big enough and brave enough to mention any group or church or people when the facts justify it and the welfare of his country requires it.

I repeat, What are we coming to in the Senate of the United States? Why am I criticized for telling the truth by these two Senators? Is it because of demands made upon them by Catholic constituents? Is it because of a presidential ambition on the part of one? What is it in this thing that prompts two Senators to stand up here and insult the Protestant people of America by attacking a Protestant Senator for daring to tell the truth about the efforts of a Catholic organization to involve our country in a foreign war?

The VICE PRESIDENT. The Senator will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 11768.

Mr. HEFLIN. Mr. President, let me say in conclusion that I have no apology to make to the Senator from Missouri, and I do not fear in the least the thrusts of his keen lance; for, as Shakespeare said, "Thrice armed is he whose cause is just." I am backed by the truth, and I am standing on the bedrock of Americanism. My cause is just. I am on the side of right, humanity, and peace. In spite of what has transpired here to-day I shall dare to continue to give to the Senate and the country the efforts of Catholics, Protestants, and everybody else to plunge this country into war with Mexico. I shall not stop to ask any Catholics or Protestants to give me permission to tell the truth as I see it. I want us to continue in peaceful relations with Mexico and all other foreign powers; and if the Senator from Missouri is correct that we are not going to have war, I shall be happy if I have contributed in the least to that end.

Mr. President, as I said before, it is no pleasant thing to have to come here and bring out these facts and be subjected to the bitter attacks that have been leveled at me by two Senators here to-day, but I shall continue to dare to do it, in spite of the fact that some of these experiences are unpleasant. I do not fear the Senator from Maryland or the Senator from Missouri. They will have occasion to attack me again and again if this Knights of Columbus war propaganda continues. That seems to be the point about which they have become so sorely offended with me.

In conclusion I want to say that I commend the able Senator from Idaho [Mr. BORAH], who thinks of the boys in the United States who must do the fighting if war with Mexico comes. I commend the Senators who think of the blood and treasure that is to be poured out to protect the oil interests of Mr. Mellon and the other oil kings, along with Doheny and Sinclair. I thank the Senators who are aiding and encouraging me in my efforts to defeat the war program of the Knights of Columbus and the war program of everybody else. The Philadelphia Knights of Columbus resolution speaks for itself. It is war propaganda pure and simple, and if my opposition to it is religious intolerance I stand by my guns, and you may make the most of it. Mirabeau was loved and honored by the people of France. He was the idol of the masses, but never was he so great as on that day when in the French Assembly he defied a rich, arrogant, and haughty nobility and a powerful and unscrupulous Catholic clergy and with the battle-ax of truth broke down the idols that corruption had erected in the

temple of liberty, and there were patriotic Catholics backing him in that movement to free France from the power of the pope.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. WALSH of Massachusetts. Mr. President—

Mr. ROBINSON of Arkansas. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President, silence on my part at this time I would consider cowardly. As a Member of the American Senate, as a member of the Roman Catholic Church, though humble and unworthy to speak for her, and as a member of the Democratic Party, I want to protest against the insinuation of disloyalty of that church and also against the innuendo that her members are conniving to engage our country in armed conflict with Mexico.

I regret that this occurrence has taken place in this body, the most representative legislative body in the world, a body whose history and traditions reflect so gloriously the learning, the patriotism, and the statesmanship of the American people. Lest those who are not particularly familiar with the present membership of this body may entertain a misunderstanding, I want to give to my Catholic coreligionists in America the assurance, based on more than six years of service here, that there is not, there can not be, in all the world in any assemblage of men for a common object a larger percentage of fair-minded men than in the United States Senate; that here men think in terms of country; that here, though there are differences of political philosophy, of religion, of condition of birth and racial origin, religious bigotry is reduced to a minimum. I am proud to testify that the overwhelming majority of the membership of this body in both parties are serving America with the sole thought of the welfare and prosperity of our great Republic and her millions of devoted people.

I regret that this accusation has come from a southern Senator because, as I recall my college days, I remember that the first utterances that filled my heart full of sympathy for the sacrifices and for the sufferings of our southern brethren fighting for what they believed to be a just cause in the dark days of the Civil War were the songs sung by a Roman Catholic priest and Confederate chaplain depicting to the world the heroism of the daughters and sons of Dixie and causing us to realize how heart-torn the South was during and after that terrible conflict.

Mr. BRUCE. And if the Senator will allow me to interrupt, it was from the heart of an Alabama priest, Father Ryan, that "The Sword of Lee" issued.

Mr. WALSH of Massachusetts. The Senator is correct. His poem "The Conquered Banner" likewise endeared him to Southerners of all creeds.

I regret also that the attack comes from a southern Senator, because in my political career I have had so many occasions to defend against unfair criticism my colleagues from the South, and because I have taken pride in telling my northern brethren of their kindness, of their party loyalty, of their tolerance, of their patriotism. Yes; I regret for many reasons that this assault has come from a southern Senator.

I regret only less keenly that it has come from a member of the Democratic Party, my party, whose political philosophy takes no account of religious distinctions, a party that was conceived and founded in a spirit of tolerance. If she is not now tolerant, if she does not continue to be tolerant, she has no place in American life, much as we prize and enthusiastically as we champion the splendid philosophy of government which she has taught in all the years of her existence. Though she has been a minority for long periods in our history, yet her services to America, as even her enemies must concede, have been helpful, restraining the excesses of the majority, and always patriotic. More than ever will her service to America be indispensable so long as she continues true to her traditional principles.

I regret, too, that the attack has come from a Democratic Senator, who is also a Southerner, because I recall that, since the days of the Civil War, whatever prestige and whatever glory and recognition in American public life have come to the South, came largely through the support, willingly and gladly given, of millions of Roman Catholic citizens who have believed in the same political principles as the South and who have been proud to have southern statesmen take their places in the highest positions in the affairs of their country in support of those inalienable principles of life and liberty which all true Americans cherish with undying devotion.

Let me say here that the Democratic Party has not become intolerant, that its membership is not made up to any appreciable extent of those who are voicing intolerance. Yes; you can find intolerance here and intolerance there, intolerance in some obscure nook and corner in every political party, but here it is

insignificant, it is inconsequential. The great heart of the party, like the great heart of America itself, is tolerant; and here of all assemblies in American life we ought to think and talk in terms of tolerance, of equality, of justice, of freedom for Catholic and Protestant, Jew and Gentile, Democrat and Republican, liberal and conservative.

I shall not attempt to defend the Roman Catholic Church. I am unworthy to make any such defense. Furthermore, she needs no defender. But I want to remind every Senator upon this floor that every one of them owes her an everlasting debt of gratitude. For 15 centuries she alone held aloft the torch of Christianity in the world; she gave her blood to preserve it; she defied unworthy and mercenary rulers who sought its destruction. If you love the doctrines of Christ; if you follow the spiritual leadership of the humble Nazarene, whatever your church membership may be; remember you are her spiritual descendants, for it was the Roman Catholic Church which preserved the teachings, the example, the story of Christ, for every Christian in the world to-day.

To be attacked is not a new experience to her. In every age she has been abused and condemned. Her children are suffering now in Mexico as they have often suffered before, through the tyranny and oppression of powerful combines, political, fanatical, and financial, in every age, in every land but ours. She will continue to suffer, too, but she has lived on for 19 centuries, and long after the petty rumblings of to-day have died to silence, and long after the governments which now assail her have crumbled and passed away, she will continue to carry aloft the torch of Christianity and spread the gospel of Christ throughout the world, regardless of inconsequential and insignificant criticisms.

Mr. President, I am a Roman Catholic and I am against armed intervention in Mexico. I seek peace, not war; mutual understanding, not hate. I do not turn to my church or to its leaders to instruct me on this issue or any detail of my service here.

For six years I have served in this body; every communication and letter that passed through my office was opened, read, and examined by an ardent member of the Protestant faith; and I challenge any human being to produce during my 15 years of public life a single particle of indirect influence or suggestion made to me by any member in high standing or influential in my church seeking to direct my course in public affairs.

Mr. President, I am here because of the liberality, the broad-mindedness, and the tolerance of hundreds of thousands of patriotic non-Catholics in the State of Massachusetts who vote as Americans and not as members of any religious sect. Again and again have the Protestant people of this country and of my own beloved State shown that they give no serious consideration to and place no credence in the insinuation that a Roman Catholic can not be a loyal American, can not be a faithful and devoted public servant of his country.

I speak in the name of the large, tolerant, and superb non-Catholic citizenship of my State who have given me personal evidence of their liberality; I speak also in the name of the 40 per cent of soldiers and sailors of the late World War who were of the Roman Catholic faith; I speak not less confidently in the name of nearly 20,000,000 Roman Catholics in these United States, when I assert that the sons and daughters of this ancient church are loyal and true, as they always have been; and on this issue no less than on every other they will take their own independent positions, differing one from another, contending with each other, and fighting, if necessary, against each other over different theories of government, but always and at all times loyal and devoted to our country, to its institutions, and to its high aims and objects.

I am not a member of the Knights of Columbus. I regret it. Many times I have been sorry that I was not in the membership of that fine organization, which is composed of some of the leading and most substantial men in this country; an organization that has exerted a tremendous influence in bringing higher ideals and finer spiritual principles into the lives of its millions of members; an organization that has poured out millions of dollars to educate the young; that has given millions of dollars for charitable and philanthropic purposes; an organization that showed its patriotism and spirit of sacrifice by the great service that it rendered to our country during the World War.

Of course this organization has the right to petition; of course the hearts of its members bleed when they think of their coreligious brethren denied the right to worship God and to practice the precepts of their faith in Mexico; of course they resent religious persecution everywhere in the world; but wherein is all this incompatible with the American spirit?



I have already spoken, Mr. President, longer than I intended. I beg pardon of the Senate for injecting myself into this debate. I particularly regret it because of my personal religious affiliations. I regret the necessity to think or speak of any religion in this citadel of all our peoples' liberties. I am pleased, however, that I am not alone here to make answer; that there are at least two Senators who have fully discharged that task, and I am sure that there is hardly a Senator upon this floor who would not, if need be, very willingly have said what has been bravely and brilliantly said by the Senator from Maryland [Mr. BRUCE] and the Senator from Missouri [Mr. REED]. Were the loyalty of the Protestant churches questioned here, just as cheerfully, and I hope as ably, would I, in the name of tolerant Massachusetts, defend them.

Senators, let this end; let it pass; let it be forgotten. Let us think here only in terms of Americanism; and, most of all, for our country's sake and for the sake of the millions and tens of millions of Americans who look to us for leadership, for the preservation of their Government, and for the protection of their liberties, let us stamp under foot as we would a snake in the grass every emergence of the hateful spirit of intolerance.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. HEFLIN. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Alabama?

Mr. ROBINSON of Arkansas. I yield to the Senator from Alabama.

Mr. HEFLIN. Mr. President, I do not quite understand the speech of the Senator from Massachusetts [Mr. WALSH]. If he is not a Knight of Columbus why should he feel called upon to attack my position in bringing to the attention of the Senate the war resolution which was passed by the Knights of Columbus at Philadelphia? It speaks for itself. I did not write the things that are in that resolution. They are in the RECORD of last week, and the people of the country who read the RECORD of that date and the RECORD of to-day will be able to decide for themselves. The things that I read to the Senate, to-day are from the pamphlets of the Knights of Columbus. I had nothing to do with their preparation or publication. They are being broadcast by the Knights of Columbus. They constitute war propaganda; and I am accused of being intolerant because I have read from these pamphlets and from the resolution of the Knights of Columbus. I am laying the facts before the Senate and before the country.

The Senator from Massachusetts seems to be excited and offended. I do not see why he should be offended with me for laying war propaganda of every kind before the Senate and the country. He has said that he is not a Knight of Columbus. In my efforts to prevent war I think of America as a whole, and I am trying to protect and save the lives of Protestant boys, Jewish boys, and Catholic boys, and all other American boys. I am doing my duty as I see it as an American Senator.

Now I want to say a word about the Senator's reference to the South, the section that I, in part, represent. I point with pride to the fact that the author of the Declaration of Independence, Thomas Jefferson, came from the South. The keynote speech for American liberty was sounded by Patrick Henry, a southerner. The resolution in the Continental Congress declaring the independence of the Colonies was written by Richard Henry Lee, a southerner. The continental forces were led by George Washington, a southerner.

The first President of the United States was a southerner. Madison, who wrote the Constitution of the United States, was a southerner. The Chief Justice of the Supreme Court in the early days who construed the Nation's laws was a southerner—John Marshall, of Virginia. The man who led our triumphant cause against the British in 1812 was Andrew Jackson, a southerner. The first man who shed his blood in the war with Spain was Worth Bagley, a southerner. No soldiers made better records on the battle front in France than the soldiers from the South and the Alabama boys were praised throughout France for their daring, their skill, marksmanship, and heroism. They were always at the forefront in the line of duty. Inspired by their example in time of war I shall at least try to do my duty by my country in time of peace. I would be unworthy to be a Senator from the South if I should fear to say here what I believe ought to be said in the interest of the peace and the welfare of my country. The remarks of the Senator from Massachusetts do not in any way frighten me. I shall not ask him or any other Senator to advise me what I shall do in discharging my duty to my country.

I have been fighting this war propaganda from the beginning, and I do not care whether these attacks come from Mr.

Mellon, who holds oil interests in Mexico, made over to him recently by Lord Cowdrey, or other interests, or other oil kings of America, Protestants, or by the Knights of Columbus, Catholic; they will not deter me. I know my duty, and I am not asking the Senator from Massachusetts [Mr. WALSH] to tell me what my duty is or to give me his permission to perform it. Neither am I asking the Senator from Maryland [Mr. BRUCE] or the Senator from Missouri [Mr. REED] or any other Senator in this body to do so. I am responsible to my constituents in Alabama and to my country, and, by the help of God, I am going to continue in the future as I have in the past to do my duty as I see it regardless of the consequences.

Nothing the Senator from Massachusetts has said takes out of the Knights of Columbus resolution the attack made on this Government for its policy in regard to Mexico; nothing that the Senator has said denies the statement I read showing that the Knights of Columbus raised a million dollars to carry on their war propaganda; nothing the Senator from Massachusetts has said can take out of the Knights of Columbus resolution its pointed demand upon President Coolidge to cease "watchful waiting" and to adopt some other quick and direct course—which, of course, meant war with Mexico. Nicaragua is the beginning point or entering wedge.

Now, why should I not tell the truth about all these things on this floor? What is there about all this particular Knights of Columbus situation, let me ask again, that should not be made known to the American people? Am I to be assailed and called intolerant because I am telling the truth about oil kings, Protestants, and Catholics to the American people? Am I to be charged with being intolerant because it happens that Catholics instead of Protestants passed the war resolution in Philadelphia? Mr. President, I leave it all to the fair-minded, upstanding, and fearless 100 per cent American citizens of all denominations to decide whether I am doing my duty as an American Senator or merely trying to inject a religious issue into the debates of the Senate.

Let me say in conclusion that the message sent to the Knights of Columbus in Philadelphia approving the resolution that they passed at Philadelphia August 5, 1926, regarding war with Mexico, which bears alone on the religious phase of this question, came from a Catholic bishop of Philadelphia. I read it into the RECORD to-day. I again assert that I did not inject the religious issue into this controversy. The Knights of Columbus, members of the Catholic Church in the United States, did it.

Mr. RANDELL. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. ROBINSON of Arkansas. If the Senator will permit me to present to the Senate a resolution and have it read, I will then yield to him.

Mr. RANDELL. Very well.

Mr. ROBINSON of Arkansas. I submit a resolution and ask that it may be read.

The VICE PRESIDENT. The clerk will read the resolution.

The resolution (S. Res. 327) was read, as follows:

*Resolved by the Senate of the United States, That while, by virtue of sovereignty, the duty devolves upon this Government to protect the lives and property of its nationals in foreign countries, which duty is not to be neglected or disregarded, it is nevertheless sound policy, consistent with the honor and best interest of the United States and promotive of international peace and good will to submit to arbitration, or to some impartial tribunal empowered to apply the principles of international law, the diplomatic controversies with Mexico relating to the alleged retroactive and confiscatory provisions of the petroleum and alien-land ownership statutes asserted by Mexico to have been enacted under the 1917 constitution of the Mexican Republic.*

*That in good will and friendliness efforts should be made and persisted in to effect arrangements whereby all controversies which have arisen or which may hereafter arise with Mexico relating to the property or property rights of nationals of the United States in Mexico which may not be adjusted by diplomatic negotiations, shall be arbitrated or litigated under conditions which will commit the two Governments to the policy of abiding and executing any awards that may be made or judgments that may be rendered in consequence of such arrangements to arbitrate or litigate.*

Mr. ROBINSON of Arkansas. I now yield to the Senator from Louisiana.

Mr. RANDELL. Mr. President and Senators, I had not the faintest idea of participating in this debate, but, being a Roman Catholic and a Knight of Columbus—proud of the fact that I belong to that great organization, which numbers

in its ranks fully 800,000 loyal, patriotic American citizens—I feel that my motives may be misunderstood should I remain silent in the face of what has been said here to-day.

I regret sincerely, along with the able Democratic Senator from Massachusetts [Mr. WALSH], that what I conceive to be an attack on the Catholic Church has been made by a Senator from the South. I am honored, sir, by being one of the Senators from a Southern State, Louisiana, in which a large percentage of the people are non-Catholic. It was my privilege to represent for 14 years in the House of Representatives a Louisiana district in which 99 per cent of the people were non-Catholic. The question of my religion was never allowed to militate against me by those splendid people. A man's religion has not determined whether or not he should be elected to office in the State of Louisiana. Well do I remember that my good Jewish friend, Gen. Adolf Meyer, of New Orleans, represented for many years in the House the strongest Catholic district in the State, just as mine was the strongest Protestant district.

And, sirs, let me remind the able Senator from Alabama that Admiral Raphael Semmes, whose name will ever live in American history as commander of the Confederate cruiser *Alabama*, was a Catholic. Surely the Senator from Alabama honors and admires that truly great son of his State. Let me remind the Members of this body that the late Chief Justice Edward Douglass White, of Louisiana, was a devout Catholic.

It is not necessary for me to defend the Catholic Church, and I am not going to take the time of the Senate to do it. I wish to say in passing, however—and I know the able Senator from Maryland [Mr. BAUCE] will corroborate this statement—that the first statute of religious liberty on American soil was enacted by the Catholics of Maryland, led by Lord Calvert, a Catholic.

Mr. President and Senators, I know nothing about the resolution which the Senator from Alabama says was passed at a convention of the Knights of Columbus at Philadelphia. I do know, however, that not one Knight of Columbus, not a single Catholic priest or prelate, has attempted in the slightest way to influence me on this question. I say "not one"—that is a slight mistake. I got a very strong telegram last Saturday from a very influential Catholic and Knight of Columbus, who lives in the city of Louisville, Ky., and he plead strongly with me to do all in my power to prevent breaking our peaceful relations with Mexico. I immediately sent that telegram by special messenger to the President, and that is the only word I have had from any Catholic in regard to war with Mexico.

I corroborate the views of the Senator from Missouri [Mr. REED] that we are not going to have war with Mexico unless it is forced upon us. Heaven forbid that the United States, a great, strong, powerful country, should be led into war with a nation which can not compare with ours in the number of its citizens, its wealth, or its resources of any kind. Thank God that I belong to the church which was founded by the Prince of Peace, a church, sir, which we are told is adhered to by 85 per cent of the Mexican people.

Suppose this church stood for war instead of peace: What easier than for the Mexican prelates and priests to arouse their people to a state of rebellion against the constituted authorities? Beyond question, if the teachings and precepts of the Catholic Church in Mexico, as voiced by its clerical leaders, had not favored peace, we would see a terrible state of war and revolution there.

The Senator from Alabama may draw what he believes to be a proper conclusion from the resolution in question, and I am satisfied that he thinks he is correct or he never would have said so; but, Senator, you are wrong. The Knights of Columbus never intended war. All they intended was a protest at what they thought the very unfair treatment of their coreligionists in Mexico. Senator, do you favor the awful way in which the Catholics of Mexico have been treated? Their priests are forbidden to say mass, administer the sacraments, and perform their usual functions; their churches are closed, so far as the administration of priests is concerned; all their property has been confiscated; their convents, monasteries, and schools closed; and their hospitals taken over.

Trial by jury, which we believe to be such an inestimable right, is refused in Mexico to anyone who violates article 130 of the Mexican constitution of 1917. This article and the laws enforcing it places all the property of religious bodies connected in any way with the service of religion or church schools or charitable institutions in the hands of the State, under the strictest provisions, and if anyone dares to violate them he will be tried without jury and severely punished. Do you call that religious liberty?

Is not this an awful state of affairs? Surely the Knights of Columbus did nothing wrong to protest against these condi-

tions! You, sir, want peace. I want peace. We all want peace. I recall vividly how a few years ago this body went on record protesting against the awful treatment of the people of Ireland. I voted for the resolution that was passed at that time, and I am proud that I did. I will vote in protest against what seems to be inhuman treatment against any of the people of the world. I would vote to-day, if a resolution were presented in this body, against what I believe has been and still continues to be the heartless, unjust treatment of Catholics and persons of other religions in Mexico. At the same time, by my voice here and by my vote, I will go to any length to prevent a war with Mexico.

Mr. ROBINSON of Arkansas. Mr. President, it seems to me unfortunate that the debate should have taken the course that has marked our discussions to-day relating to the disputes that exist between this country and the Republic of Mexico. To hear the speeches in the Senate, one would be warranted in fearing that the battle sphere has been transferred to this Chamber. My regret at the course of the debate is not due to any objection to the full and free expression of views by Senators, but is due to the belief that the discussion may obscure the relationship of the Senate to the subject matters that underlie the controversy that exists between our own and a neighboring country.

It need not be expected that by a debate in the Senate religious differences will be finally and satisfactorily determined. Throughout all the centuries, of which we have a record, the pathway of humanity has been marked by oppressions, by strifes, and by blood; and it would be exceedingly unfortunate if a religious controversy should become the overshadowing question in dealing with Central American states, or obscure efforts to promote the peaceful adjustment of our disputes with Mexico, Nicaragua, and other countries.

I do not believe that any considerable element of the population of the United States is in sympathy with the influences, secret or open, which are exerting themselves to produce a rupture with Mexico. It is quite natural that those who feel that the exercise of their religious liberty is interfered with should protest. Surely, no one here or elsewhere would restrict the right of protest; but the great mass of the American people recognize the right of other peoples to the enjoyment of the same privileges which we have struggled for and which we sustain. They do not want this Government committed to the policy of employing force for the adjustment of disputes concerning property or property rights of American nationals in foreign countries so long as those foreign countries are willing to make arrangements for fair adjustments.

I have refrained, and other Senators have refrained, from entering upon a discussion of these subjects in an academic way.

My motive now is to try to accomplish something by advising the Executive and the Nation respecting the opinion of the Senate touching controversies which admittedly have produced a strained relation between this country and Mexico.

Nothing will be accomplished by mere censure or criticism or by the stimulation of passions and prejudices. It has seemed to me—and it still appears—that the orderly, just, and proper thing for the Senate to do is, if it can suggest a wise and helpful course, to take the responsibility of making the suggestion rather than merely to weaken the arm of the diplomatic agencies of the Government.

I do not intend at this time to enter upon a full discussion of the merits of this resolution. I am authorized to say that it is concurred in by the senior Senator from Idaho [Mr. BORAH], the chairman of the Foreign Relations Committee, by the senior Senator from Virginia [Mr. SWANSON], the ranking minority member of that committee, by the senior Senator from Nevada [Mr. PITTMAN], and other Senators, the opportunity not having appeared to present the resolution to all members of the Foreign Relations Committee.

Let me state at this time that the resolution relates to a policy of great importance. It asserts the duty of this Government to protect the lives and property of its nationals in foreign countries. It also declares that, in so far as disputes relate to property or property rights, it is consistent with the policy of this Nation to submit those disputes to arbitration or to litigation in some impartial tribunal authorized to administer the principles of international law. It contemplates that the Senate shall express its opinion that the Executive may well take the initiative in promoting this form of settlement when diplomatic negotiations have failed.

What an illustration of the liberality and the generous purpose of this Government would be exhibited if the President of the United States should invite the President of Mexico to meet him at the border and discuss ways and means for fairly determining the rights involved in these disputes.



I support my Government, but I can not be blinded to the fact that for some reason, just or unjust, the United States has grown unpopular throughout the world—not in Central America and South America alone. In the Orient, China, like a mighty, sleeping giant awakening from a troubled dream of centuries, is stretching herself and rising in indignation against the policy of foreigners, which policy she declares to be grafting, avaricious, and oppressive. American gunboats are in Chinese waters, and the flag of this Republic flies from the peaks of numerous warships far upstream in far-away China.

We read in the press to-day that efforts to secure accord between Peru and Bolivia with respect to the Tacna-Arica dispute have failed, and our Government's policies have been discredited.

We read that in Panama complaint is made that the United States is oppressive toward feeble peoples; that behind our proposals for a treaty are screened the gigantic and irresistible forces which compose our Army and our Navy.

Everyone knows that for some reason the United States has been characterized as a bully. One would say, "What care I for such a characterization, so long as I know that the motives which inspire the policies of my Government are just toward oppressed and feeble peoples?"

The answer is that here is an opportunity to display a proof of good faith of our Government in its proposals to create and encourage agencies for the peaceful settlement of disputes, and the best proof of good faith which we can afford is not only in consenting to such settlements when nations of great power demand them, but in proposing such methods when feeble powers are willing to accept them.

The resolution is intended to be helpful. It affords the Senate an opportunity to express in a practical way its conclusions respecting the true policies that should be pursued in the settlement of these disputes.

Let no one misconceive the motives of those who would proceed with caution with respect to our relations with Mexico. There is neither fear nor disloyalty in that spirit, and let all who deal with us realize that once the die is cast and the resolution taken our people support and will support the policy of the Government.

It becomes of first importance, then, to safeguard in every possible way against hasty or avoidable conclusions which imply the employment of force. Here is an instance in which the United States may, by consideration for other countries, restore her reputation for fairness and generosity throughout Central America, and if she takes that course all citizens of this country, without regard to political or religious affiliations, will be made happy.

It seems to me that instead of merely censuring some one for the manner in which he performs his duties in connection with negotiations, the Senate should accept the responsibility which is implied in expressing, as clearly as it can, approval of a policy in its opinion justified and commendable. I thank the Senate.

Mr. BORAH obtained the floor.

Mr. ASHURST. Mr. President—

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Idaho yield to the Senator from Arizona?

Mr. BORAH. I yield.

Mr. ASHURST. The Senate and the country will be grateful to the Senator from Arkansas [Mr. ROBINSON] for the introduction of this resolution. With appropriate phrase and with correct horoscope the Senator from Arkansas has pointed out that our country is reaching a posture where it has not the friends it deserves to have. The adoption of this resolution will indicate an extension by the United States of the hand of good faith, justice, and moderation, not the mailed hand of war, and I am an earnest supporter of the resolution.

This resolution by the Senator from Arkansas has not been hastily introduced. It has not been precipitate. Judgment and deliberation have marked its preparation and its introduction. The Senate must not be a laggard in behalf of peace, but should take the lead upon this vital question; and before I proceed further let me say that the Senator from Idaho [Mr. BORAH], the chairman of the Senate Committee on Foreign Relations, is to be thanked for the diligence with which he has applied himself to this subject.

Arizona, which State I in part represent, is a State which adjoins the troubled Republic of Mexico. I believe that I correctly interpret the spirit of that State when I say it would be a difficult task to find one citizen in Arizona who wants war with Mexico or with any other power.

I was not here during all the speech of the Senator from Alabama [Mr. HEFLIN], as I had some engagements with a committee from Arizona, and was therefore unable to hear all of the speech of the Senator from Alabama [Mr. HEFLIN].

However, it seems that he believes or pretends to believe that the Catholic Church and the Knights of Columbus are in favor of war with Mexico. I will relieve the mind of the Senator from Alabama by assuring him that so far as I know neither the Catholic Church nor the Knights of Columbus wish war with Mexico or with any other power. The Catholic Church worships the Prince of Peace. It is never swayed by imbecile curiosity.

It knows that war means misery, blood, and ashes, and is therefore opposed to war. The speech of the Senator from Alabama has been taken seriously by a few. It will be remembered that some 15 years ago Halley's comet scorched through the sky. It had a tail a million miles long. It gave off an iridescence; and some persons grew frightened until scientists assured them that while the tail was indeed a million miles long, the whole affair did not have about it or in it an ounce of substance. [Laughter.] Likewise, the speech of the Senator from Alabama gives off an iridescence, but is bereft of even an ounce of substance.

John Randolph loved books, horses, and dogs—if I make a misstatement as to John Randolph, my learned friend, the Senator from Maryland [Mr. BRUCE] will correct me. John Randolph had a great library which he treasured. All things equine and canine, near or remote, interested John Randolph. Returning home one evening he found that one of his most precious books had been gnawed by his favorite dog Beppo. Instead of chastizing the dog he simply took up the fragments of the book and wrote on one of the remaining leaves: "Beppo did this when he was drunk." As to the speech of the Senator from Alabama, I can say: "He made his speech when he was excited." [Laughter and applause in the galleries.]

The PRESIDING OFFICER. The Chair must admonish the occupants of the galleries that the rules of the Senate do not permit manifestations of approval or disapproval. Let there be order in the galleries.

Mr. ASHURST. Circumstances light as air sometimes direct the course of men, but a circumstance lighter than air itself has directed the course and agitated the mind of the Senator from Alabama. He will find, as I recall, that Halley's comet did not explode with a dull sickening thud, but passed on. The Senator's speech—I will not say will explode with a dull, sickening thud, but it will finally alight with a nauseating concussion. I use that phrase as the more parliamentary one.

The perturbed Senator from Alabama may possess his soul in patience. The Knights of Columbus do not wish war. They wish peace. The Catholic Church and the Protestant Churches do not wish war. They wish peace. It would be a shocking thing to imagine that a church which worships the Prince of Peace would be urging war. If we never have a war with Mexico until we are driven to it by the churches, we will be a long time without war. More than this I need not say; less than this I could not say.

The Senator referred to a resolution adopted by the Knights of Columbus touching the situation in Mexico. Every Senator is entitled to his own construction of that resolution. The Senator from Alabama is entitled to construe it as he sees fit. The trouble with the Senator from Alabama is that he voted for the World Court, and the Ku-Klux Klan does not like his vote on the World Court.

Some of the klan leaders have said, "We have got to get rid of such a man as HEFLIN," whereupon the Senator from Alabama grew frightened and now thinks that in order to reinstate himself with the Ku-Klux Klan he must attack the Roman Catholic Church. [Laughter.] That is the truth of the matter, and that is what is troubling the Senator from Alabama.

Mr. HEFLIN. No; that is not the truth of the matter. When the Senator gets through I will state what the truth of the matter is.

Mr. ASHURST. If the Senator issues a disclaimer, I would accept it.

Mr. BORAH. Mr. President—

Mr. ASHURST. If the Senator from Alabama issues a disclaimer, I will accept the same.

Mr. HEFLIN. Of course, I issue that disclaimer.

Mr. ASHURST. Then I accept it.

The PRESIDING OFFICER. The Chair must admonish Senators to direct their remarks not to individual Senators but to the Chair.

Mr. ASHURST. I think the Chair is correct.

I accept the disclaimer; but the Senator from Alabama does not seem to be as magnanimous—no, I shall not use that word. The Senator should, as a fair man, be equally as ready and willing to accept the disclaimer of the Knights of Columbus when they say they do not want war. They assert here—and I

have read it in the RECORD, placed into the RECORD by the Senator from Montana [Mr. WALSH]—that they are not seeking war, but wish to avert war, and yet the Senator refuses to accept their disclaimer.

Mr. HEFLIN. I read their resolution into the RECORD, and I will read it again.

Mr. ASHURST. I thank the Senator from Idaho for giving me this much time. I would have been false to the principles of fair play, false to the spirit of my own State, false to the spirit of America, if I had remained silent under the circumstances.

Mr. BORAH. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. HEFLIN. Mr. President, will not the Senator withhold that motion until I say a word in reply to the Senator from Arizona?

The PRESIDING OFFICER. The Senator from Idaho has moved—

Mr. BORAH. Just a moment. I want to say to the Senator that I am almost compelled to press the motion. I had an agreement with parties interested in the matter on both sides of the Chamber that we would dispose of the pending executive business this afternoon if possible. After we have disposed of the executive business, we will take up again to-morrow the matter in which the Senator from Alabama is interested.

Mr. HEFLIN. I will take only two minutes.

Mr. BORAH. Very well, I will grant the Senator two minutes.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me a moment?

Mr. HEFLIN. I do not want to use up my two minutes in yielding.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. HEFLIN. Mr. President, the Senator from Arizona [Mr. ASHURST] has not in any way touched the meat of the Knights of Columbus resolution passed at Philadelphia. I have read it to the Senate and to the country. Its pertinent points are in the CONGRESSIONAL RECORD. There is a demand in it for war. The Knights of Columbus denounce the policy of "watchful waiting" on the part of the Government of the United States. They say the time for that has passed. They for some reason demand of their Government quick action of another kind. A million dollars is raised to carry on their propaganda. They denounce their own Government for its policy of watchful waiting. The Senator from Arizona can not get away from the resolution of the Knights of Columbus by simply saying that I have injected a religious issue; I have not. The Senator says in his speech here in the Senate that Christ founded the Catholic Church and the Senator from Louisiana [Mr. RANSDELL] said the same thing. I have not discussed that question here. I differ with them, as do members of other denominations, that Christ, to the exclusion of all other churches, singled out and established the Catholic Church. He did not do it.

Let me say in closing that all that the Senator from Arizona [Mr. ASHURST] and the Senator from Massachusetts [Mr. WALSH] may say and all that any other Senator may say will not deter me in doing what I feel is for the peace, prosperity, and happiness of the American people. I have disclosed and discussed the war propaganda of oil magnates—Protestants and Catholics alike—and I will continue to do so. I am not afraid of the Ku-Klux Klan, of which the Senator has spoken, or the Knights of Columbus, or any other organization in the United States. I shall to the best of my ability do my duty as I see it. None of these attacks or threats disturb me. I resent and I repudiate as false the statement coming from any source, in the Senate or out of it, that I injected the religious issue into the debates in this Senate. I brought the resolutions of the Knights of Columbus, passed at Philadelphia last August and published over the country, and I read them. I read from other pamphlets of the Knights of Columbus statements right in line with their resolution, and I am going to continue to read and condemn their propaganda and everybody else's propaganda in favor of war with Mexico.

Mr. ROBINSON of Arkansas. Mr. President, I ask that the resolution which I have submitted may be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, that reference will be made.

Mr. BORAH. Mr. President, may I state, so there will be no misunderstanding, that, owing to the fact that we are to have a session to-morrow beginning at 11 o'clock, the meeting of the Committee on Foreign Relations will be postponed until Thursday morning.

#### CHALLIS, IDAHO, AND SAWTOOTH NATIONAL FORESTS

The PRESIDING OFFICER (Mr. WILLIS in the chair) laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Public Lands and Surveys:

*To the Congress of the United States:*

I transmit herewith for consideration by the Congress copies of resolutions adopted by the National Forest Reservation Commission on January 8, 1927, proposing the addition of certain public lands to the Challis, Idaho, and Sawtooth National Forests in the State of Idaho, the Missoula and Helena National Forests in the State of Montana, the Colville National Forest in the State of Washington, and the Wyoming National Forest in the State of Wyoming, together with copies of communications from the Secretary of Agriculture, submitting the proposed additions to the commission, which have been presented by the president of the commission, in accordance with the provisions of section 8 of the act of Congress approved June 7, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 18, 1927.

[NOTE: The copies of resolutions accompanied similar message to the House of Representatives.]

#### EXECUTIVE SESSION

Mr. BORAH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After one hour spent in executive session the doors were reopened.

#### RIGHTS IN THE CANAL ZONE—TREATY WITH PANAMA

Mr. BORAH. Mr. President, as in open executive session I ask unanimous consent that the injunction of secrecy may be removed from the Panama treaty. I will say that this treaty has been made public in Panama and it has been made public here; but, owing to the fact that there has been no formal order to that effect, the State Department is not able to make it public, and I ask for the order so that the situation may be relieved of any embarrassment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the injunction of secrecy as applying to the treaty referred to is removed.

The matter referred to is as follows:

*To the Senate:*

To the end that I may receive the advice and consent to the Senate to ratification, I transmit herewith a convention signed between the United States and the Republic of Panama on July 28, 1926, for the settlement of certain points of difference between them which have arisen out of the exercise by the United States of sovereign rights in the Canal Zone by virtue of the Panama Canal treaty of November 18, 1923.

Merely for the information of the Senate, there are furnished copies and translations of five sets of exchange of notes made by the plenipotentiaries of the two Governments at the time of their signature of the convention, setting forth their understandings with respect to certain of the provisions of the convention.

CALVIN COOLIDGE.

THE WHITE HOUSE, Washington.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention between the United States and the Republic of Panama for the settlement of certain points of difference between them which have arisen out of the exercise by the United States of sovereign rights in the Canal Zone by virtue of the Panama Canal treaty of November 18, 1923.

There are inclosed herewith for the information of the Senate copies and translations of five sets of exchange of notes made at the time of the signature of the convention setting forth the understanding of the two Governments with respect to certain of the provisions of the convention.

Respectfully submitted.

FRANK B. KELLOGG.

DEPARTMENT OF STATE,

Washington, December 7, 1926.

[Translation]

LEGACIÓN DE PANAMA,

Washington, July 28, 1926.

Sirs: The Panaman Commissioners have received with great gratification the note of this date in which the American Com-



missioners confirm the understanding arrived at in the present negotiations with regard to the statue of Columbus now standing in the grounds of the Washington Hotel in the city of Colon, presented to the Republic of Colombia in 1866 by Eugenie, Empress of the French and the ownership of which is recognized to correspond to the Republic of Panama, with the right to remove it to such place within the territory of the Republic, as may be convenient.

Accept, sirs, etc.,

R. J. ALFARO.  
EUSEBIO A. MORALES.

Hon. FRANK B. KELLOGG,  
*Secretary of State of the United States, and*  
Hon. FRANCIS WHITE,  
*Chief of the Section of Latin American Affairs  
of the Department of State.*

DEPARTMENT OF STATE, July 28, 1926.

SIRS: With reference to the question of the statue of Christopher Columbus now standing on the grounds of the Washington Hotel in the city of Colon, and which was presented to the Republic of Colombia by Eugenie, Empress of the French in 1866, the American Commissioners take pleasure in confirming the understanding arrived at during the negotiations of the present treaty, that the Republic of Panama is recognized to have the ownership of said statue and that consequently it may be removed from its present location to such other place within the territory of Panama as may be deemed convenient by the Panaman Government.

Accept, sirs, the renewed assurance of our highest consideration.

FRANK B. KELLOGG.  
FRANCIS WHITE.

The Hon. Dr. RICARDO J. ALFARO,  
*Envoy Extraordinary and Minister Plenipotentiary of  
Panama, and*

The Hon. Dr. EUSEBIO A. MORALES,  
*Envoy Extraordinary and Minister Plenipotentiary of the  
Republic of Panama on Special Mission.*

[Translation]

LEGACIÓN DE PANAMA,  
Washington, July 28, 1926.

SIRS: Referring to Section 4 of Article IV of the treaty signed by us today with the American Commission in which is set forth the persons who shall be entitled to dwell within the Canal Zone and to whom dwellings belonging to the Government of the United States or to the Panama Railroad Company and situated within the Zone may be rented or leased, we desire to confirm the understanding arrived at between the Commissioners during the negotiations, that consular officers of career holding exequaturs from the United States are included within the category of those who are entitled to dwell within the Canal Zone and to whom dwellings belonging to the Government of the United States or to the Panama Railroad Company and situated within the Zone may be rented or leased.

Mention was not made in the treaty of consular officers of career holding exequaturs from the United States as it was not desired to give undue prominence to the fact that such persons may dwell in the Canal Zone and thus perhaps cause a number of such persons who now reside in the Republic of Panama to take up residence in the Canal Zone.

Accept, sirs, etc.

R. J. ALFARO.  
EUSEBIO A. MORALES.

Hon. FRANK B. KELLOGG,  
*Secretary of State of the United States, and*  
Hon. FRANCIS WHITE,  
*Chief of the Section of Latin American Affairs  
of the Department of State.*

DEPARTMENT OF STATE, July 28, 1926.

SIRS: In reply to your note of today's date in which you confirm the understanding arrived at by the American and Panaman Commissioners in the recent negotiations that it is understood that consular officers of career holding exequaturs from the United States are to be considered as included among those persons enumerated in Section 4 of Article IV of the treaty signed by us today who are entitled to dwell within the Canal Zone and to whom dwellings belonging to the Government of the United States or to the Panama Railroad Company and situated within the Zone may be rented or leased, the American Commissioners take this opportunity to thank the Panaman Commissioners for this confirmation of the understanding reached during the negotiations.

Accept, sirs, the renewed assurance of our highest consideration.

FRANK B. KELLOGG.  
FRANCIS WHITE.

The Hon. Dr. RICARDO J. ALFARO,  
*Envoy Extraordinary and Minister Plenipotentiary of  
Panama, and*

The Hon. Dr. EUSEBIO A. MORALES,  
*Envoy Extraordinary and Minister Plenipotentiary of the  
Republic of Panama on Special Mission.*

[Translation]

LEGACIÓN DE PANAMA,  
Washington, July 28, 1926.

SIRS: Referring to paragraph 2 of Article IX of the treaty signed by us today with the American Commission in which it is provided that all radio stations, radio installations or radio receiving sets in the Republic of Panama shall be subject to control by the Government of Panama, we desire to confirm the understanding arrived at between the Commissioners during the negotiations that the Republic of Panama in the exercise of her control, may require the operator of every radio station, radio installation or radio receiving set to furnish the Government of Panama with the copy of every message received or sent by it and that the Government of Panama will supply copies of such messages to the agents of the United States, if the United States should advise Panama that it considered such measures necessary in the protection, defense or operation of the Panaman Canal or the operation of the United States fleets or forces, it being understood that this phase of control by the Republic of Panama would not be exercised in ordinary circumstances but only in the case above stated.

With reference to the third paragraph of Article IX of the treaty it is of course understood, as brought out in our negotiations, that radio stations operated by the United States in the Republic of Panama shall be operated under such regulations as the United States may prescribe for them.

Accept, sirs, etc.

R. J. ALFARO.  
EUSEBIO A. MORALES.

Hon. FRANK B. KELLOGG,  
*Secretary of State of the United States, and*  
Hon. FRANCIS WHITE,  
*Chief of the Section of Latin American Affairs  
of the Department of State.*

DEPARTMENT OF STATE, July 28, 1926.

SIRS: In reply to your note of today's date in which you confirm the understanding arrived at by the American and Panaman Commissioners in recent negotiations that it is understood that Panama in exercising control over radio stations, radio installations or radio receiving sets in the Republic of Panama may of course demand that copies of all messages received or sent by such radio stations, radio installations or radio receiving sets shall be supplied to the Republic of Panama, which will in turn furnish such copies to the United States, it being understood that such measures will not be taken in ordinary circumstances but only when the United States advises Panama that it considers such measures necessary in the protection, defense or operation of the Canal or the operation of the United States fleets or forces, and furthermore that it is of course understood that radio stations operated in the Republic of Panama by the United States will be operated under such regulations as the United States may prescribe for them, the American Commissioners take this opportunity to thank the Panaman Commissioners for this confirmation of the understanding on these points reached during the negotiations.

Accept, sirs, the renewed assurance of our highest consideration.

FRANK B. KELLOGG.  
FRANCIS WHITE.

The Hon. Dr. RICARDO J. ALFARO,  
*Envoy Extraordinary and Minister Plenipotentiary of  
Panama, and*

The Hon. Dr. EUSEBIO A. MORALES,  
*Envoy Extraordinary and Minister Plenipotentiary of the  
Republic of Panama on Special Mission.*

[Translation]

LEGACIÓN DE PANAMA,  
Washington, July 28, 1926.

SIRS: Referring to Article XII of the treaty signed by us today with the American Commission, in which arrangement is made to make the subsidiary silver currency issued by the

Republic of Panama legal tender in the Canal Zone under certain conditions, we desire to state that the Republic of Panama will cause the silver currency referred to in said Article to be coined at one of the mints of the United States.

Accept, sirs, etc.

R. J. ALFARO.  
EUSEBIO A. MORALES.

HON. FRANK B. KELLOGG,  
*Secretary of State of the United States, and*  
HON. FRANCIS WHITE,  
*Chief of the Section of Latin American Affairs,  
of the Department of State.*

DEPARTMENT OF STATE, July 28, 1926.

SIRS: In reply to your note of today's date in which you state, with reference to Article XII of the treaty signed by us today, that Panama will cause the silver currency referred to in said provision to be coined at one of the mints of the United States, we desire to express the thanks of the American Commission for this confirmation of the understanding reached by us during the negotiations for the treaty.

Accept, sirs, the renewed assurance of our highest consideration.

FRANK B. KELLOGG.  
FRANCIS WHITE.

The Hon. Dr. RICARDO J. ALFARO,  
*Envoy Extraordinary and Minister Plenipotentiary of  
Panama, and*  
The Hon. Dr. EUSEBIO A. MORALES,  
*Envoy Extraordinary and Minister Plenipotentiary of the  
Republic of Panama on Special Mission.*

[Translation]

LEGACIÓN DE PANAMA,  
Washington, July 28, 1926.

SIRS: Referring to Article I of the treaty signed by us today with the American Commission, in which it is provided that the value of private lands and private property, and the assessment of damages to them shall be appraised and settled by a Joint Commission composed of one of the Associate Justices or a substitute Justice of the Supreme Court of the Republic of Panama, to be selected by the President of the Republic of Panama, and the Judge of the District Court of the Canal Zone, and that in case of disagreement of the Commission an Umpire shall be appointed by the two Governments and he shall render the decision, we desire to confirm the understanding arrived at between the Commissioners during the negotiations, that Panama agrees to the appointment at any given moment, for the responsible position of Umpire of the Joint Commission, of a citizen of the United States of America who is known in Panama for his eminent qualifications for the position.

Accept, sirs, etc.

R. J. ALFARO.  
EUSEBIO A. MORALES.

HON. FRANK B. KELLOGG,  
*Secretary of State of the United States, and*  
HON. FRANCIS WHITE,  
*Chief of the Section of Latin American Affairs  
of the Department of State.*

DEPARTMENT OF STATE,  
Washington, July 28, 1926.

SIRS: In reply to your note of today's date in which you confirm the understanding arrived at by the American and Panamanian Commissioners in their negotiations that the Panamanian Government agrees to the appointment to the position of Umpire, provided for in Article I of the treaty signed by the plenipotentiaries of the United States and Panama today, of a citizen of the United States of America known in Panama for his eminent qualifications for that responsible position, the American Commissioners take this opportunity to express to the Panamanian Commissioners their gratification in receiving this confirmation of the understanding reached during the negotiations.

Accept, sirs, the renewed assurance of our highest consideration.

FRANK B. KELLOGG.  
FRANCIS WHITE.

The Hon. Dr. RICARDO J. ALFARO,  
*Envoy Extraordinary and Minister Plenipotentiary of  
Panama, and*  
The Hon. Dr. EUSEBIO A. MORALES,  
*Envoy Extraordinary and Minister Plenipotentiary of the  
Republic of Panama on Special Mission.*

The United States of America and the Republic of Panama, desiring to settle certain points of difference between them which have arisen out of the exercise by the United States of sovereign rights in the Canal Zone by virtue of the Treaty of November 18, 1903, as well as to regulate certain features of their future intercourse arising from the contiguity of the Republic of Panama and the Canal Zone, have resolved to conclude a Treaty and have accordingly appointed as their Plenipotentiaries:

The President of the United States of America, the Honorable Frank B. Kellogg, Secretary of State of the United States of America, and the Honorable Francis White, Chief of the Division of Latin American Affairs, Department of State; and

The President of the Republic of Panama, the Honorable Doctor Ricardo J. Alfaro, Envoy Extraordinary and Minister Plenipotentiary of Panama to the United States and the Honorable Doctor Eusebio A. Morales, Envoy Extraordinary and Minister Plenipotentiary of Panama on special mission:

Who, after communicating to each other their respective full powers which were found to be in due and proper form, have agreed upon the following:

#### ARTICLE I

Article XV and the last sentence of Article VI of the Panama Canal Treaty between the United States of America and the Republic of Panama dated November 18, 1903, are hereby superseded and the provisions of the second sentence of Article VI are hereby amended in the manner following so far as concerns the method of ascertainment of damages to the owners of private property:

Should it become necessary for the Government of the United States to acquire private property in conformity with the grants contained in said Treaty of November 18, 1903, after the date of this Treaty, the said Government shall give due and reasonable notice through diplomatic channels to the Republic of Panama, either by a note addressed by the Department of State to the Panamanian Legation in Washington or by a note addressed to the Foreign Office in Panama City, stating the intention of the Government of the United States to acquire by expropriation said lands or properties in conformity with the grants contained in the Treaty of November 18, 1903, and title to the property shall be deemed to have passed from the owner thereof to the United States when the formality of giving the notice has been complied with. The Government of Panama shall thereupon take the necessary steps for the transfer of jurisdiction to the United States with due care for the interest of all inhabitants who might be in the territory whose jurisdiction is thus transferred. The value of said private lands and private property and the assessment of damages to them shall be appraised and settled by a Joint Commission composed of one of the Associate Justices or a substitute Justice of the Supreme Court of the Republic of Panama, to be selected by the President of the Republic of Panama, and the Judge of the District Court of the Canal Zone, but in case of disagreement of the Commission an Umpire shall be appointed by the two Governments and he shall render the decision. All decisions by the Commission or by the Umpire shall be final. The appraisal of any such private property and the assessment of damages to it shall be based upon its value at the time the property is taken. No part of the work of the Canal or the Railroad or any of the auxiliary works relating thereto and authorized by the said Treaty shall be prevented, delayed or impeded by or pending proceedings of the Joint Commission or of the Umpire as established in this Article.

#### ARTICLE II

The Republic of Panama grants to the United States in perpetuity the use, occupation and control of that portion of Manzanillo Island, at the Atlantic terminus of the Canal bounded and described as follows:

Beginning at a copper plug in the concrete dock which is near the northern end of the old Panama Railroad stone freight house in the city of Colon, said plug being 0.5 feet from the face of the dock and equidistant from either end, the coordinates of said plug being Latitude 9° 21' plus 4682.0 feet and Longitude 79° 54' plus 3315.5 feet; thence N 74° 15' E a distance of 100.42 feet to an iron bolt concreted in the ground, the coordinates of said bolt being Latitude 9° 21' plus 4709.3 feet and Longitude 79° 54' plus 3218.8 feet; thence N 15° 52' W a distance of 727.63 feet to an iron bolt in the center of the west end of 2nd Street, the coordinates of said bolt being Latitude 9° 21' plus 5409.2 feet and Longitude 79° 54' plus 3417.7 feet; thence N 74° 04' E a distance of 379.93 feet to a cross cut in an iron ring in concrete at the intersection of 2nd and Bolivar Streets, the coordinates of said point being Latitude 9° 21' plus 5513.5 feet and Longitude 79° 54' plus 3052.4 feet; thence N 15° 59' W a distance of 210.57 feet to an iron



bolt in the center of Bolivar Street, the coordinates of said bolt being Latitude  $9^{\circ} 21'$  plus 5715.9 feet and Longitude  $79^{\circ} 54'$  plus 3110.4 feet; thence N  $73^{\circ} 49'$  E a distance of 1038.11 feet to a copper plug concreted in a 2 inch pipe, the coordinates of said plug being Latitude  $9^{\circ} 21'$  plus 6005.2 feet and Longitude  $79^{\circ} 54'$  plus 2113.4 feet; thence N  $65^{\circ} 49'$  E a distance of 315.3 feet to an iron bolt in the center of Coconut Alley, the coordinates of said bolt being Latitude  $9^{\circ} 22'$  plus 86.9 feet and Longitude  $79^{\circ} 54'$  plus 1825.8 feet; thence S  $15^{\circ} 54'$  E a distance of 261.41 feet to an iron bolt concreted at the intersection of Coconut Alley and 2nd Street, the coordinates of said bolt being Latitude  $9^{\circ} 21'$  plus 5883.0 feet; and Longitude  $79^{\circ} 54'$  plus 1754.2 feet; thence N  $74^{\circ} 11'$  E along the center line of 2nd Street a distance of 179.24 feet to a copper plug concreted in the center of "G" Street, the coordinates of said plug being Latitude  $9^{\circ} 21'$  plus 5931.8 feet and Longitude  $79^{\circ} 54'$  plus 1581.7 feet; thence S  $15^{\circ} 56'$  E along the center of "G" Street a distance of 1762.7 feet to a copper plug in the concrete at the intersection of 7th and "G" Streets, the coordinates of said plug being Latitude  $9^{\circ} 21'$  plus 4236.9 feet and Longitude  $79^{\circ} 54'$  plus 1097.8 feet; thence N  $74^{\circ} 06'$  E along the center of 7th Street a distance of 1408.5 feet to a copper plug concreted in a 2 inch G. I. pipe in the center of the park circle at the intersection of 7th and "K" Streets, the coordinates of said plug being Latitude  $9^{\circ} 21'$  plus 4622.7 feet and Longitude  $79^{\circ} 53'$  plus 5749.6 feet; thence S  $15^{\circ} 52'$  E along the center of "K" Street a distance of 755.2 feet to a copper plug in the concrete at the intersection of 9th and "K" Streets, the coordinates of said plug being Latitude  $9^{\circ} 21'$  plus 3896.3 feet and Longitude  $79^{\circ} 53'$  plus 5543.1 feet; thence N  $74^{\circ} 00'$  E along the center line of 9th Street and the center line produced a distance of 960 feet more or less to the mean low water line of Manzanillo Bay; thence following along the said mean low water line northerly, westerly and southerly to point of beginning. All bearings refer to the true meridian.

It is agreed that the harbor of Colon shall consist of the maritime waters lying to the westward of the city of Colon and bounded as follows:

Beginning at mean low water mark on Limon Bay at a copper plug in a concrete monument, marked D prime on the map marked Exhibit A, the boundary runs N  $78^{\circ} 30' 30''$  W to a point in Limon Bay marked E on above mentioned map and located 330 meters east of the center line of the Panama Canal; thence turning to right and running in a northerly direction the line runs parallel with the above mentioned center line and at a distance of 330 meters easterly therefrom for a distance of 660 meters more or less to a point in Limon Bay marked F prime on above mentioned map; thence, turning to right and running in an easterly direction and paralleling the above mentioned southerly boundary to a point marked G on the above mentioned map; thence, on a bearing of N  $74^{\circ} 15'$  E to a copper plug set in Panama Railroad concrete dock near the north end of the Panama Railroad stone freight house, said copper plug being the starting of the new Cristobal boundary; thence turning to the right and running along the mean low water line in a generally southerly direction to the point of beginning.

And it is further agreed that there shall be added to the harbor of Colon the maritime waters lying in head of Boca Chica arm of Folks River to the northward of a line described as follows:

Beginning at a point (marked by a 2 inch G. I. pipe) at mean low water, on the southeastern shore of Manzanillo Island the coordinates of said point being Latitude  $9^{\circ} 21'$  plus 466.9 feet and Longitude  $79^{\circ} 53'$  plus 3987.3 feet, the boundary runs due south into Folks River, a distance of 334.9 feet; thence due west in Folks River a distance of 1473.7 feet; thence S  $38^{\circ} 30'$  W. in Folks River a distance of 1290 feet to the most southerly point on the western shore of Folks River, the coordinates of said point being Latitude  $9^{\circ} 20'$  plus 5170 feet and Longitude  $79^{\circ} 54'$  plus 257 feet; thence following mean low water line in a generally northerly and easterly direction to the point of beginning. All bearings refer to the true meridian.

It is further agreed that in the harbor of Colon the United States shall retain jurisdiction and control over all cables now laid including cable landings, and that it shall have the right to lay such other cables in the harbor as it may deem advisable and to land such cables on the shores of the harbor, retaining like control and jurisdiction over such additional cables and cable landings.

And it is further agreed that the water mains and sewers of the said city of Colon shall be available for the joint use of Colon and the area incorporated in the Canal Zone by virtue of this Treaty, and such use of said facilities by the United States shall bear its equitable share of operation and maintenance charges, which charges shall be determined by the pro-

portionate quantities of water and sewage passing through the said facilities in such joint use.

And it is further agreed, without impairment of the provisions of Article VII of the Treaty of November 18, 1903, that the United States will make provision to reimburse the Republic of Panama for the present value of such public improvements within the area incorporated in the Canal Zone by virtue of this Treaty, where said improvements have been provided under former agreement at the expense of the Republic of Panama, and that the determination of the amount of such reimbursement shall in the absence of direct agreement be made by the Joint Commission described in Article I of this Treaty.

The use, occupation and control of the land area described in this Article and of the water area lying between the harbor as established by this Treaty and the north boundary of the present harbor as established by the Boundary Convention between the United States and the Republic of Panama dated September 2, 1914, are hereby granted to the United States in perpetuity as part of the Canal Zone and consequently the provisions of Article III of the said Treaty of November 18, 1903, shall apply thereto. For a further description of the land and water areas described in this Article reference is here made to a blue print which accompanies this Treaty signed by the American Plenipotentiaries on behalf of the United States and the Panamanian Plenipotentiaries on behalf of the Republic of Panama and marked "Exhibit A."

In consideration of the grant by the Republic of Panama to the United States of the use, occupation and control in perpetuity of the portion of Manzanillo Island and the water area mentioned and described in this Article, and of the other conditions of this Treaty, it is hereby agreed that the permanent boundary between the city of Colon and the Canal Zone on the western shore of Boca Chica (sometimes called Folks River) shall be as follows:

Beginning at the most southerly point on the western shore of Folks River, the coordinates of said point being Latitude  $9^{\circ} 20'$  plus 5170 feet and Longitude  $79^{\circ} 54'$  plus 257 feet; thence South  $73^{\circ} 41'$  West a distance of 120 feet to a copper plug in the east curb of the Mount Hope Road, the coordinates of said point being Latitude  $9^{\circ} 20'$  plus 5136.2 feet and Longitude  $79^{\circ} 54'$  plus 372.5 feet; thence North  $16^{\circ} 05'$  West, a distance of 794.3 feet to a second copper plug in the east curb of the Mount Hope Road, the coordinates of said point being Latitude  $9^{\circ} 20'$  plus 5899.4 feet and Longitude  $79^{\circ} 54'$  plus 592.5 feet; thence in northwesterly direction following the line of the east curb of the Mount Hope Road to its intersection with the line of the south sidewalk of 14th Street; thence in a southwesterly direction following the line of the said sidewalk to a point in the center of Bolivar Street; thence to the north along the center line of said Street until meeting another point also situated in the center of the said Street and marked point "B" on the map marked "Exhibit A."

All bearings mentioned in this Article and in the map marked Exhibit A refer to the true meridian.

And in further consideration of the grant by the Republic of Panama to the United States of the use, occupation, and control in perpetuity of the portion of Manzanillo Island and the water area mentioned and described in this Article, and of the other conditions of this Treaty, it is agreed as follows:

The United States will undertake the construction of a paved highway, from Paraiso (in the Canal Zone), by way of Summit, Alhajuela, and Cativá, to a connection with the Canal Zone highway between Colon and Fort Randolph; and a paved highway from a point on the above described road south of the Las Minas Bay to the town of Porto Bello, completing all necessary grading for roadbeds twenty-six (26) feet wide, with a concrete pavement not less than six (6) inches thick and eighteen (18) feet wide in the center, together with all necessary culverts, and single track bridges capable of carrying a fifteen-ton road roller.

It is agreed that the United States will enter on the construction of the highways described in this Article after the Republic of Panama shall have made provision satisfactory to the United States to reimburse the United States for all costs of construction of all said highways north of Alhajuela, excepting \$1,250,000 which it is agreed will be the total expense to the United States of this portion of the highway system. It is also agreed that the total expense of the section of the highways described in this Article and lying between Paraiso and Alhajuela shall be borne by the United States.

#### ARTICLE III

1. The Republic of Panama agrees to build the roads specified in a, b, c and d of paragraph 2 of this Article, completing all necessary grading for roadbeds twenty feet wide with a sur-

faced strip ten feet wide in the center. The Republic of Panama further agrees to construct new culverts along each of the roads mentioned of sufficient length to permit the subsequent widening of the roadbeds to twenty-six feet. The United States agrees that if and when existing concrete structures between the Canal Zone line and the QUEBRADA HERRADURA near EL CREO shall be incorporated in a new road it will widen such structures to the necessary extent at the time of placing the road surfacing specified in paragraph 2 of this Article. The Republic of Panama agrees that it will construct the necessary bridges on the roads to be built and that such bridges shall be made permanent structures with a single track and strong enough to carry a fifteen ton road roller. It is agreed by the High Contracting Parties that the foregoing conditions as to construction shall apply to the roads in Panaman territory as far as the culvert over the QUEBRADA HERRADURA, near EL CREO, on the west, and PACORA on the east, but that if desired by the Republic of Panama the surfaced strip hereinafter referred to shall be omitted from the roads within those limits. The United States further agrees that when appropriations shall be made by the Congress of the United States for road construction in the Canal Zone it will pay to the Republic of Panama the sum of thirty-five thousand dollars (\$35,000) for the prior construction by Panama of the bridge over the Calmito River.

2. The United States engages to complete the grading and to place substantial surfacing eighteen feet wide on the above specified roadbeds to the extent below indicated:

a. From the Zone line near Arraijan to the Calmito River, concrete pavement not less than six inches thick.

b. From the Calmito River through Chorrera and Laguna to the culvert over the Quebrada Herradura, in the vicinity of El Creó, bituminous macadam six to ten inches thick.

c. From the end of the present concrete road near Sabanas Police Station to a point about one mile beyond Tocumen River, concrete pavement not less than six inches thick.

d. From the end of the concrete road under (c) to Pacora, bituminous macadam six to ten inches thick.

e. On all the above described roads, the United States agrees to widen the roadbeds to twenty-six feet before placing the pavement or surfacing.

3. The United States further agrees that when the Republic of Panama shall build a road in Panaman territory to the line of the Canal Zone at the proper point it will either build and operate a steel bridge across the Canal at Pedro Miguel Locks or establish and operate a ferry across the Canal on the Pacific side and it will construct a connecting road with concrete pavement eighteen feet wide and not less than six inches thick from the bridge or the ferry landing to the Zone line near Arraijan and will construct the necessary bridges along this road to be of a permanent character.

4. Each High Contracting Party agrees to maintain the roads and bridges on the portion of the road system provided for in this Treaty which lies within its jurisdiction. The Government of Panama agrees that such sums as may be necessary for the proper maintenance of the road system within its territory, and not less than \$55,000 per annum, shall be included in each biennial budget and set apart and expended exclusively for such maintenance. With a view further to assure the carrying out of this undertaking the Republic of Panama agrees that the expenditure of the funds above mentioned will be made only in accordance with the joint recommendation of the Chief Engineer in charge of the supervision and maintenance of road work in the Republic of Panama and an engineer to be designated by the United States.

5. The United States shall continue to have at all times the free and gratuitous use of all roads in Panaman territory and the Republic of Panama shall have at all times free and gratuitous use of all roads within the limits of the Canal Zone including the bridge across the Canal at Pedro Miguel Locks, except as military necessity in time of war shall dictate restrictions by the United States upon this right.

6. It is further agreed that the United States shall have in time of peace as well as in time of war the right to install, maintain and operate for official use telephone and telegraph lines along all roads to be constructed in Panaman territory in accordance with this Treaty.

7. It is agreed by the two High Contracting Parties that the road system provided for in this Article shall be completed within a term of three years from the date of the exchange of the ratifications of this Treaty.

#### ARTICLE IV

In order to strengthen the friendly relations which have so fortunately existed between the United States and Panama the United States agrees in perpetuity as follows;

1. With the exception of sales to ships which the United States will continue to make as heretofore, the sale of goods imported into the Canal Zone by the Government of the United States shall be limited by it to the officers, employees, workmen and laborers in the service or employ of the United States or of the Panama Railroad Company and the families of all such persons, and to contractors operating in the Canal Zone and their employees, workmen and laborers and the families of all such persons, and to such other persons as under the provisions of Section 4 of this Article may be permitted by the United States to dwell in the Canal Zone, and who actually do dwell in said zone, it being understood that guests of the hotels operated by the Panama Canal or the Panama Railroad Company are not included unless they come under one of the other classes to which such sales may be made. It is furthermore understood that the provisions of this Section shall in no way prejudice the operation of such bonded warehouses as the United States may permit to be established in the Canal Zone. The United States will continue to extend the privilege of dealing at its commissaries and storehouses to such foreign diplomatic agents accredited to the Republic of Panama as the Panaman Government may specifically request.

2. The Government of the United States will continue to cooperate in all proper ways with the Republic of Panama to prevent smuggling into the Republic of goods purchased in the commissaries.

3. The United States will not permit the establishment in the Canal Zone of private business enterprises other than those existing therein at the time of the signature of this Treaty. This provision shall in no wise be construed as prohibiting either the establishment of bonded warehouses, aforementioned, which are establishments for the assembling, storage, repacking or distribution of merchantable articles in wholesale and not in retail quantities, or the operation of cable, oil, shipping or other concerns having a direct relation to the construction, operation, maintenance, sanitation or protection of the Canal.

4. With the exception of guests of the hotels operated by the Panama Railroad Company or the Panama Canal no person who is not comprised within the following classes shall be entitled to dwell within the Canal Zone:

Officers, employees, workmen or laborers of the United States, the Panama Canal or the Panama Railroad Company; Contractors operating in the Canal Zone and their employees, workmen and laborers;

Officers, employees or workmen of companies entitled by Section 3 of this Article to conduct operations in the Canal Zone;

Settlers employed in the cultivation of small tracts; hucksters, proprietors and clerks of small establishments for supply of these settlers and of other employees; and

Members of the families and domestic servants of all the before-mentioned persons.

No dwellings belonging to the Government of the United States or to the Panama Railroad Company and situated within the Zone shall be rented or leased to persons not within the excepted classes.

5. In aid of the enforcement of the provisions of Panama law the United States agrees not to permit the landing at the ports of Balboa and Cristobal of any merchandise consigned to the Republic of Panama unless the invoices and manifests covering such merchandise shall be legalized by the Consular representatives of the Republic of Panama.

6. The Government of the United States will continue to extend to private merchants residing in the Republic of Panama the facilities for making sales to vessels transiting the Canal which they now enjoy, subject always to its police and military regulations.

#### ARTICLE V

There shall be complete reciprocal free importation of goods, wares and merchandise from the territory of the Canal Zone into that of the Republic of Panama, and from the Republic of Panama into the territory of the Canal Zone, provided, however, that no goods imported into the Canal Zone for sale in the commissaries or for sale to ships, according to this agreement, or for distribution or reexportation in bonded warehouses shall enter the territory of the Republic of Panama without the payment of such duties as the Republic may have established, or will in future establish, upon foreign goods, it being understood, however, that any goods purchased in the commissaries may pass into the Republic of Panama without payment of import or other duties when they are used by or belong to the officers, agents, and employees of the United States, the Panama Canal, and the Panama Railroad Company, who reside or sojourn in the Republic of Panama during and in perform-



ance of their service with the United States, the Panama Canal, or the Panama Railroad Company and the goods are intended for their own personal use and benefit or that of their families, as well as any such goods belonging to or used by any contractor who is performing services in the Canal Zone for the United States, the Panama Canal or the Panama Railroad Company, or by representatives, agents, and employees of such contractors, and the families of all such persons, when the goods are intended for their own personal use and benefit and they reside or sojourn in the Republic of Panama during their service in the Canal Zone, and in addition such goods used by persons in the diplomatic or consular service of the United States and stationed in the Republic of Panama.

#### ARTICLE VI

Article IX of the said Treaty of November 18, 1903, is hereby superseded.

The United States agrees that the ports at either entrance of the Canal, and the waters thereof, shall be free for all time, so that there shall not be imposed or collected customs house tolls, tonnage, anchorage, lighthouse, wharf, pilot or quarantine dues or any other charges or taxes of any kind upon any vessel using or passing through the Canal, or upon the cargo, officers, crew or passengers of any such vessels, except such tolls and charges as may be imposed by the United States for the use of the Canal or other works, and except upon merchandise introduced into the Canal Zone for use or consumption therein, and upon vessels touching at the ports of the Canal and which do not pass through the Canal.

The Republic of Panama agrees that the cities of Panama and Colon and their adjacent harbors shall be free for all time, so that there shall not be imposed or collected customs house tolls, tonnage, anchorage, lighthouse, wharf, pilot or quarantine dues or any other charges or taxes of any kind upon any vessel using or passing through the Canal or belonging to or employed by the United States directly or indirectly in connection with the construction, maintenance, operation, sanitation and protection of the Canal or auxiliary works; or upon the cargo, officers, crew or passengers of any such vessels, except duties and charges imposed by the Republic of Panama upon merchandise destined to be introduced for use or consumption in the Territory of the Republic of Panama, and upon vessels touching at the ports of Colon and Panama and which do not cross the Canal.

The United States agrees to furnish to the Republic of Panama free of charge the necessary space for the establishment of customs houses in the ports of the Canal Zone for the collection of duties on importations destined to the Republic and for the examination of merchandise, baggage and passengers consigned to or bound for the cities of Panama and Colon, and to prevent contraband trade, it being understood that the collection of duties and the examination of merchandise and passengers by the agents of the Government of Panama, in accordance with this provision, shall take place only in the customs houses to be established by the Government of Panama as herein provided.

No charges of any kind whatsoever shall be imposed by the authorities of the United States upon persons passing from the territory of the Republic of Panama into the Canal Zone, and the authorities of the Republic of Panama shall grant reciprocal free passage of persons other than immigrants into the Republic, from the territory of the Canal Zone into that of the Republic of Panama.

The United States shall have the right in case of emergency to make use of the cities and harbors of Panama and Colon as places of anchorage and for making repairs, for loading, unloading, depositing or transshipping cargoes, either in transit or destined for the service of the Canal and for other works pertaining to the Canal.

#### ARTICLE VII

It is agreed that no penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vehicles or persons by reason of the carriage of such liquors when they are in transit under seal and under certificate by Panamanian authority from the terminal ports of the Canal to the cities of Panama and Colon and from the cities of Panama and Colon to the terminal ports of the Canal when intended for exportation, and between the cities of Panama and Colon and any other points of the Republic and between any two points of the territory of the Republic when in either case the direct or natural means of communication is through Canal Zone territory and provided that such liquors remain under said seal and certificate while they are passing through Canal Zone territory.

#### ARTICLE VIII

In furtherance of the purpose of Article VII of the Treaty of November 18, 1903, so far as it relates to the sanitation of

the cities of Panama and Colon, it is agreed that the Government of the United States shall continue to enforce all quarantine and sanitary ordinances and regulations of a preventive or a curative character heretofore prescribed or that it may hereafter prescribe, for the cities of Panama and Colon and their adjacent harbors, and the enforcement of said ordinances and regulations by the United States shall be effected through the health officers whom the United States will maintain in each of the cities of Panama and Colon, it being understood however that the United States will not prescribe, nor the said health officers enforce, under this heading building or other regulations within the province of the municipal authorities of the Republic of Panama except in so far as such building or other regulations may relate to sanitary matters. It is agreed that the sanitary rules and regulations prescribed by the United States for the cities of Panama and Colon and their adjacent harbors will be promulgated by Executive Decree of the President of Panama. It is further agreed that whenever an epidemic or disease appears in or threatens any part of the Republic of Panama which may be considered by the Panama Canal authorities as a menace to the health of the Canal Zone and the cities of Panama and Colon, the Panamanian authorities will, upon the request of the Government of the United States, apply to such region the quarantine and sanitary ordinances and regulations prescribed by the Chief Health Officer of the Panama Canal. In case the epidemic should be of such severity that the resources and efforts of the Republic of Panama appear to the Chief Health Officer of the Panama Canal to be insufficient or unavailing to check or control the epidemic, the Republic of Panama grants to the United States the right and authority to enforce such ordinances and regulations in the same manner as prescribed for the cities of Panama and Colon. The foregoing measures shall continue in force until the menace to the Canal Zone and the cities of Panama and Colon has been removed. The expenses incident to the enforcement of such quarantine and sanitary measures as may be necessary shall be borne by the United States when, in accordance with the above provisions, it has taken over the enforcement of such measures.

All moneys collected in the cities of Panama and Colon from fines, penalties, and forfeitures under said ordinances and regulations shall be held by the Panamanian authorities as an emergency fund to be used in special cases for sanitary purposes only in the respective cities of Panama and Colon, where collected, upon the approval of the Chief Health Officer of the Panama Canal.

In furtherance of the provisions of Article VII of the Treaty of November 18, 1903, it is agreed that the President of the United States and the President of the Republic of Panama will make agreements from time to time relative to the establishment of hospitals for the treatment of persons insane or afflicted with the disease of leprosy, and indigent sick in the Republic of Panama, on such conditions respecting the administration thereof, and such terms regarding the cost of construction and maintenance thereof, as the said Executives may determine by mutual agreement.

#### ARTICLE IX

The High Contracting Parties agree that with the exception of the stations specified in paragraph three of this Article and those owned and officially operated by the Government of Panama, no radio station, radio installation, or radio receiving set shall be imported, erected or operated in the territory of the Republic of Panama without a license issued by the Government of Panama. Panama will furnish to the United States notice of all applications for such licenses as they are made, and no license shall be issued in case objection is made by the United States, within fifteen days after receipt of such notice, to any such radio station, installation, or radio receiving set as endangering the efficient protection, defense or operation of the Panama Canal. Transfers of licenses shall be made only in the same manner as above provided for the original issue of the license.

Every license to a radio station, radio installation or radio receiving set in the Republic of Panama shall provide that the station, installation or receiving set shall at all times be subject to inspection by the United States and censorship, control or closure by the Government of Panama. The Panamanian Government agrees, upon request by the United States Government, to close without delay any radio station, radio installation or radio receiving set which is, in the opinion of the United States, detrimental to the safety or operation of the Canal and its defense or the operation of the United States Fleets or Forces. It is agreed, however, that with the exception of enemies in time of war the operating company or individual shall be duly reimbursed for losses due to such closure and that the damages arising out of such closure shall be appraised and determined

by the Joint Commission provided for in Article I of this Treaty, and shall be paid by the United States in case such closure shall have been carried out by Panama at the request of the United States.

The Republic of Panama grants to the United States, with a view to the more efficient operation of the Canal, the right to install, maintain, and operate such radio stations in the Republic of Panama as the United States Government may deem necessary for use in connection with its other stations in the Republic of Panama or the Canal Zone, or for the purpose of controlling the movements of its Fleets or Forces. It is agreed that such radio stations erected, maintained, and operated by the United States in the Republic of Panama shall be open to the public service and shall transmit commercial business in the absence of commercial radio service by private enterprises, it being understood that government messages shall have priority.

The Republic of Panama shall have complete sovereignty over the territory occupied by such radio stations as may be established by the United States in the Republic of Panama for the protection of the Canal and the management of United States Fleets or Forces, except that the United States shall exercise exclusive jurisdiction over such station sites, the property thereon and the personnel engaged in operating such stations, as well as the members of the military or naval forces of the United States supplying such stations. These provisions shall apply to the radio stations situated in La Palma and Puerto Obaldia now operated by the United States.

In case of war or threatened hostilities, the provisions of Article XI of this Treaty shall apply.

#### ARTICLE X

All aircraft and aviation centers in the Republic of Panama other than those pertaining to the defensive forces of the Canal and those owned and officially operated by the Government of Panama shall be subject to inspection by both the United States and the Panamanian Governments to insure compliance with such rules and regulations as may hereafter be agreed upon.

Aircraft owned and operated by the nationals of the United States or Panama may operate in the Republic of Panama, provided both the aircraft and the operators thereof hold a joint United States-Panama license issued by a board composed of representatives of the Governments of the United States and Panama and otherwise conform to restrictions recommended in the Convention for the Regulation of Aerial Navigation signed at Paris, October 13, 1919, or such other restrictions as the two countries may from time to time jointly prescribe.

All aircraft other than those pertaining to the defensive forces of the Canal and those owned and officially operated by the Government of Panama must follow routes prescribed jointly by the United States and Panama in flying over the Republic of Panama and must land at airports or airdromes designated jointly by the United States and Panama and must otherwise conform to such restrictions as the two countries may from time to time jointly prescribe.

In applying and enforcing the rules and regulations regarding aircraft and aviation centers the two Governments shall regard as the deciding factor the safety of the Panama Canal.

The Republic of Panama agrees not to permit flying in Panamanian territory over areas near the defenses of the Canal except in agreement with the United States.

In time of war or threatened hostilities the provisions of Article XI of this Treaty shall be applied.

#### ARTICLE XI

The Republic of Panama agrees to cooperate in all possible ways with the United States in the protection and defense of the Panama Canal. Consequently the Republic of Panama will consider herself in a state of war in case of any war in which the United States should be a belligerent; and in order to render more effective the defense of the Canal, will, if necessary in the opinion of the United States Government, turn over to the United States in all the territory of the Republic of Panama, during the period of actual or threatened hostilities, the control and operation of wireless and radio communication, aircraft, aviation centers, and aerial navigation.

The civil and military authorities of the Republic of Panama shall impose and enforce all ordinances and decrees required for the maintenance of public order and for the safety and defense of the territory of the Republic of Panama during such actual or threatened hostilities and the United States shall have the direction and control of all military operations in any part of the territory of the Republic of Panama.

For the purpose of the efficient protection of the Canal, the Republic of Panama also agrees that in time of peace the armed forces of the United States shall have free transit throughout the Republic for maneuvers, or other military purposes, provided, however, that due notice will be given to the Government of the Republic of Panama every time armed troops should enter her territory. It is understood that this provision for notification does not apply to military or naval aircraft of the United States.

#### ARTICLE XII

As long as the Republic of Panama shall make the gold dollar of the United States unlimited legal tender equally with the balboa established by Law 84 of 1904, the Government of the United States agrees to make the subsidiary silver currency issued by the Republic of Panama legal tender in the Canal Zone, with the following conditions:

1. That such Panamanian currency shall not be legal tender for the payment of tolls for the use of the Panama Canal;
2. That the total nominal value of such Panamanian subsidiary silver currency shall not exceed the amount of \$1,000,000;
3. That the Republic of Panama, in order to maintain the legal parity and equivalence with the gold standard of such fractional silver coins, shall create and maintain a reserve fund by deposit with a responsible banking institution in the United States of a sum in lawful currency of the United States always equivalent to not less than fifteen per cent of the nominal value of the silver fractional currency issued by the Republic, and as the same is issued, together with an amount equal to the seignorage on the silver coins issued, less all necessary costs of coinage and transportation;
4. That Panama further agrees to maintain the parity of its silver coinage with the gold standard by exchanging silver coins when presented in sums or multiples of twenty dollars or twenty balboas for gold, and by taking such steps with respect to exchange by drafts upon its reserve fund as will tend to prevent disturbances of the legal parity of the silver fractional currency of the Republic of Panama with the gold standard;
5. That such Panamanian silver currency shall have an intrinsic value equal to or higher than the corresponding silver coins of the United States;
6. That the silver money of the United States shall be legal tender in the Republic of Panama to the same extent that it now is in the United States;
7. That the Republic of Panama shall not prohibit, restrict or impose any tax upon the exportation of gold coin.

#### ARTICLE XIII

It is expressly understood and agreed that nothing provided in this Treaty shall in any wise affect the rights of either of the two High Contracting Parties or be taken as being a limitation, definition, restriction or restrictive construction of the rights of either party under the Treaty of November 18, 1903, and the Treaty of September 2, 1914, except as expressly provided in this Treaty, and it is furthermore expressly understood that the rights of the Panama Railroad Company, acquired by virtue of its concessions from the Republic of Colombia or otherwise and the rights of the United States acquired by virtue of their purchase of the rights of the French Canal Company, are in no manner altered, impaired or diminished by any of the terms of this Treaty.

#### ARTICLE XIV

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place at Washington.

In witness whereof, the respective Plenipotentiaries have signed this Treaty in duplicate and have hereunto affixed their seals.

Done at the City of Washington the 28th day of July 1926.

[SEAL.] FRANK B. KELLOGG.

[SEAL.] FRANCIS WHITE.

[SEAL.] R. J. ALFARO.

[SEAL.] EUSEBIO A. MORALES.

#### PUBLIC BUILDING NEEDS

MR. LENROOT. Mr. President, out of order, I ask unanimous consent to submit to the Senate a report made by the Secretary of the Treasury and the Postmaster General of a survey made of the country regarding the apparent needs for public buildings. I ask that it be referred to the Committee on Public Buildings and Grounds, to whom it is addressed.

May I say for the benefit of Senators that this is important to every Senator, because it contains a survey of each State regarding the needs for public buildings. I am not asking that



the report be printed as a public document, because the House has ordered that the report there be printed as a public document, and at my request the Printing Committee have arranged that 1,000 copies of the report shall be placed in the document room for the benefit of Senators, so that Senators who may desire to see the report may obtain copies there.

Mr. SMITH. This is a report of the survey as to public buildings?

Mr. LENROOT. It is.

Mr. WALSH of Massachusetts. Is it a long report?

Mr. LENROOT. Yes; very long.

Mr. WALSH of Massachusetts. Too long for the Record?

Mr. LENROOT. Yes; too long.

Mr. OVERMAN. Are there two reports?

Mr. LENROOT. No; only one.

Mr. OVERMAN. I had understood they made one report to the Senate and then a general report.

Mr. LENROOT. It is a report addressed to the Committee on Public Buildings and Grounds, but I present it to the Senate because I know it is of very great interest.

Mr. SWANSON. Mr. President, may I ask the Senator a question?

Mr. LENROOT. Certainly.

Mr. SWANSON. Does the report emphasize the great need and necessity for the entire country of such buildings?

Mr. LENROOT. It does. I may say for the benefit of Senators that the report shows that there is need of public buildings costing, in round numbers, \$170,000,000 outside the District, and only \$100,000,000 has been authorized.

Mr. SWANSON. It seems to me that the Committee on Public Buildings and Grounds should report a measure authorizing an increase in the appropriation for public buildings all over the country to the amount which the report submitted by the Senator from Wisconsin states is needed. I should like to ask the Senator whether it is his purpose, as chairman of the committee, to call the committee together in the effort to accomplish that desirable result?

Mr. LENROOT. I will say to the Senator from Virginia that it is my understanding that the House committee is now considering that subject and will probably report a measure providing an additional authorization.

Mr. SWANSON. I am glad to hear that. I wish to cooperate with the Senator in that direction.

Mr. LENROOT. Should such legislation be passed by the other body, it will receive very prompt attention from the committee of which I have the honor to be the chairman.

Mr. SMITH. Mr. President, before the Senator from Wisconsin takes his seat, I desire to make an inquiry. As I understand, this report is not confined to buildings which have been enumerated in the first authorization of appropriations?

Mr. LENROOT. It is a general survey and only tentative in form as to what the representatives of the two departments found to be the public-building needs of the country at the present time.

Mr. SMITH. Regardless of the first appropriation which we authorized to be made?

Mr. LENROOT. Yes.

Mr. JONES of Washington. Mr. President, let me ask the Senator whether the 1,000 copies of this report will be apportioned to Senators or will they go on the principle of "first come, first served"?

Mr. SMOOT. The report goes to the folding room, and will, therefore, be apportioned.

Mr. LENROOT. That is correct.

Mr. JONES of Washington. Very well.

Mr. LENROOT. I ask that the report may be referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Without objection, the report will be so referred.

#### RENUMBERING OF SECTIONS OF PANAMA CANAL ACT

Mr. EDGE. Mr. President, out of order, I ask unanimous consent for the present consideration of House bill 16164, which is on the Secretary's desk; and, if desired, I will make a brief explanation of the bill.

Mr. LENROOT. Mr. President, will the Senator from New Jersey yield to me?

Mr. EDGE. I yield.

Mr. LENROOT. The Senator from New Jersey has made a request for the consideration of a bill, and the Senator from Wyoming [Mr. WARREN] desires to conclude the consideration of the appropriation bill which was pending before we went into executive session. I therefore ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. Without objection, it is so ordered. Mr. WARREN. Mr. President, I now understand that the appropriation bill is before the Senate?

Mr. LENROOT. No.

The VICE PRESIDENT. The Senator from New Jersey has asked unanimous consent for the consideration of House bill 16164.

Mr. WILLIS. What is the nature of the bill, Mr. President?

Mr. EDGE. Mr. President, the explanation of the bill briefly is this: Congress passed an amendment to the Panama Canal act in December last; the bill was signed by the President and it is now the law. It has been discovered, however, that in numbering the sections of the bill a clerical error was made. The bill for which I now ask consideration, as passed by the House of Representatives, proposes to amend the act to which I refer, and to correct those clerical errors. I ask unanimous consent for its present consideration.

Mr. JONES of Washington. As I understand, the bill for which the Senator from New Jersey asks consideration is a House bill which has not gone to the Senate committee, but all that it proposes to do is to correct the numbering of certain sections of a previous act?

Mr. EDGE. It proposes to correct the numbers of certain sections of the law.

Mr. JONES of Washington. Under those circumstances, I shall not ask that the bill go to the committee.

Mr. ROBINSON of Arkansas. What is the nature of the bill?

Mr. EDGE. The original bill, known as the Panama Canal act, passed both Houses of Congress and was signed by the President in December last. It was then discovered, however, that there was a mistake in numbering its sections. I ask that the bill may be read by the Secretary. It consists of only a few lines.

The VICE PRESIDENT. The Secretary will read as requested.

The bill (H. R. 16164) to amend the act entitled "An act to amend the Panama Canal act and other laws applicable to the Canal Zone, and for other purposes," approved December 29, 1926, was read the first time by title and the second time at length, as follows:

*Be it enacted, etc.,* That the act entitled "An act to amend the Panama Canal act and other laws applicable to the Canal Zone, and for other purposes," approved December 29, 1926, is amended—

(1) By striking out "13" in paragraph (4) of subdivision (a) of section 9, and inserting in lieu thereof "12."

(2) By striking out "13" in subdivision (b) of section 13, and inserting in lieu thereof "12."

(3) By striking out "14, 15, or 16" in subdivision (a) of section 16, and inserting in lieu thereof "13, 14, or 15."

(4) By striking out "20" in subdivision (a) of section 20, and inserting in lieu thereof "19."

(5) By striking out "20" in subdivision (c) of section 20, and inserting in lieu thereof "19."

(6) By striking out "19 and 21" in section 21, and inserting in lieu thereof "18 and 20."

(7) By striking out "19" in section 22, and inserting in lieu thereof "18."

Mr. ROBINSON of Arkansas. Mr. President, as I understand, the bill merely proposes to correct certain mistakes made in numbering the sections of an act previously passed?

Mr. EDGE. It merely proposes to correct mistakes which were made in the numbering of a bill which is now the law.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### INDEPENDENT OFFICES APPROPRIATIONS

Mr. WARREN. Mr. President, I ask that the Senate resume the consideration of the independent offices appropriation bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15959) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1928, and for other purposes.

Mr. WARREN. Mr. President, when the Senate went into executive session we were about to consider the amendments on page 39.

The VICE PRESIDENT. The clerk will state the next amendment.

The next amendment of the Committee on Appropriations was, on page 39, line 3, after the words "transportation of," to strike out the word "remains" and to insert "remains"; and

on the same page, in line 4, after the word "fiscal," to strike out "years" and to insert "year," so as to read:

Medical and hospital services: For medical, surgical, dental, dispensary, and hospital services and facilities, convalescent care, necessary and reasonable aftercare, welfare of, nursing, prosthetic appliances (including special clothing made necessary by the wearing of prosthetic appliances prescribed by the bureau), medical examinations, funeral, burial, and other incidental expenses (including preparation for shipment and transportation of remains) accruing during the fiscal year 1928 or in prior fiscal years, traveling expenses, and supplies.

The amendment was agreed to.

Mr. WARREN. Now, Mr. President, I desire to turn back to the amendment on page 16, which was passed over.

The VICE PRESIDENT. The amendment passed over will be stated.

The amendment passed over, on page 16, was after line 10 to strike out the following clause:

Hereafter appropriations available to the Federal Board for Vocational Education for salaries and expenses shall be available for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the board are necessary for the efficient discharge of its responsibilities.

Mr. WARREN. I hope that amendment will now be agreed to.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. WARREN. Now, Mr. President, there are certain amendments which were unanimously agreed to in the committee which the chairman was instructed to offer. As to some of them, however, certain question of order may arise. The first amendment is one respecting a very small matter, and I will explain it if an explanation shall be desired.

The VICE PRESIDENT. The amendment proposed by the Senator from Wyoming will be stated.

The CHIEF CLERK. On page 9, after line 14, it is proposed to insert as a new paragraph the following:

Hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Board of Mediation, including arbitration boards established under the railway labor act, when the aggregate amount involved does not exceed the sum of \$25.

Mr. KING. I will raise a point of order against the amendment unless there is some satisfactory explanation offered.

Mr. WARREN. If the Senator will refrain from making the point of order for a moment, I shall be glad to explain the amendment.

Mr. KING. I will withhold the point.

Mr. WARREN. The amendment relates to what may be considered a rather new service under the Government. Those in charge of that service have discovered a situation which other departments have discovered long ago and which as to them we have remedied. Section 3709 of the Revised Statutes provides that when a purchase is made by any of the departments or by any agency of the Government, there must be advertisement for a given length of time and bids submitted accordingly before the purchase can be made. Aside from the inconvenience and delay there is involved also the expense of advertising, which in many instances is more than the cost of the article which it is desired to purchase. Hence Congress heretofore has relieved various departments from the strict operation of the statute as to small purchases. I think in the case of the Navy Department an exception was made as to amounts up to a thousand dollars; as to the Army I think the exception applied to amounts up to \$500, and in other departments it applied where the amount involved was \$100 or \$50, as the case might be. It is a matter of economy and a matter of convenience. The present system often results in unnecessary delay and expense.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wyoming.

Mr. KING. Mr. President, I shall not raise the point of order against the amendment, but I wish to suggest to the chairman of the committee and to the other members of the committee the danger of breaching the statute. What I am afraid of is that officials may seek to have the authority enlarged so that they may be relieved from advertising where the amount involved is \$100 or \$500 or a thousand dollars, until finally we will have no requirement as to advertising and discretion will be left to the executive departments to pay what they please and as they please without competitive bidding, which is a very wholesome thing in Government affairs.

Mr. WARREN. I hardly think any such danger as the Senator apprehends is involved in the amendment. For some

20 years or more we have had to provide this method of relief, and the Government agency affected in this instance is one of the newer establishments.

Mr. KING. And \$25 is the maximum.

Mr. SMOOT. That is correct; and similar provisions have been made as to most, if not all, of the other departments.

Mr. KING. I withdraw the point of order.

Mr. FLETCHER. Mr. President, the only difficulty about it is that they can buy in \$25 lots without any advertisement at all. They may want to buy to the amount of \$25,000, and get the articles in lots of \$25 at a time.

Mr. KING. If it is susceptible of that construction, then I shall not withdraw the point of order.

Mr. CURTIS. No such authority as that is involved in the amendment.

Mr. SMOOT. Provisions similar to this which have been passed heretofore have never been construed in that way, and authority similar to this has been given to various departments of the Government for the last 20 years. I do not think any such thing as the Senator from Florida suggests will happen. If it should we would know within a short time; competitors would know of it immediately and report it to the Appropriations Committee, and such a practice would be stopped.

The amendment specifically says "when the aggregate amount involved does not exceed the sum of \$25."

Mr. KING. If it shall be interpreted in that spirit, the evil suggested by the Senator from Florida may not arise; and yet I confess the longer I have contact with public officials the more I am in favor of the competitive system of bidding for supplies.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WARREN. Mr. President, I send another amendment to the desk and will say a word of explanation in regard to it. The committee had agreed without objection to reinstate a provision consisting of a few lines which appeared in the bill when it was reported to the other House, but which was stricken out on a point of order. One of our most watchful and able Senators, knowing of that, informed me to-day that he positively would make a point of order against it, so I shall not offer the amendment in that form. But to leave out of the bill entirely the provision that went out on the point of order in the other House would result in the bill being disconnected, and would omit the words of the law which the bill undertakes to quote. The amendment I send to the desk is to restore words which appear in the statute itself, which will make the provision correct. It does not contain any of the objectionable language of the provision to which allusion has been made.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 9, line 20, after the numerals 1926, it is proposed to strike out "or renewal of existing contract or otherwise," and insert in lieu thereof the words—

including personal services and stenographic reporting services.

Mr. KING. Mr. President, I should like to make an inquiry. Does the amendment offered by the Senator restore the competitive system?

Mr. WARREN. It leaves it under the law as it has been heretofore.

Mr. KING. The provision for the competitive system in stenographic reporting work is left in?

Mr. WARREN. It is left as it is in the existing law.

Mr. KING. With that understanding, I have no objection.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. WARREN. I have to offer a further amendment on behalf of the committee.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 10, line 9, after the word "bureau," it is proposed to insert "at \$10,000 per annum."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. WARREN. I offer another amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 11, line 9, after the word "Secretary," it is proposed to insert the following:

The Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees herein provided for to or from its office or field force.

Mr. KING. I should like an explanation of that amendment. Will the chairman of the committee please explain it?

Mr. WARREN. The amendment will merely allow the Civil Service Commission to use its employees who may be in the field for office work, and vice versa. It will lessen the number of employees necessary and result in a saving of money.



Mr. KING. It does not increase the number or give them discretion to increase the number?

Mr. WARREN. Oh, no; on the contrary.

Mr. KING. There is no objection to it.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, with regard to the former item of \$10,000, I suppose the committee went into that, but it looks to me like a pretty high salary for the chief of a bureau.

Mr. WARREN. Mr. President, let me say that that was the salary that the same man received during the Wilson administration. The salary was fixed by the President. When we were about to establish the classifications I happened to be the one who had charge in the majority, and was the ranking man in the minority on the legislative bill, and I suggested to this man, when we were about to regulate the salaries of all the employees, not only the executive departments but other branches as well, that he drop that salary and come under the classification. Our committee was unanimous in recommending such amendment. All those in whose service this bureau has had to work—for instance, the Appropriations Committee on the other side and the Appropriations Committee here—consider him one of the most valuable employees we have; and certainly, it seems to me, that he ought to be put back to the salary that he enjoyed before he went under the classification.

Mr. FLETCHER. With the chairman's explanation, I make no objection.

The VICE PRESIDENT. The amendment has been agreed to. Does that complete the committee amendments?

Mr. WARREN. No. There are several small matters here.

Mr. KING. Mr. President, will the Senator yield to me for one moment? In order to harmonize another provision of the bill with the amendment made a moment ago, I direct the chairman's attention to page 21, lines 22, 23, 24, and 25, and to the language:

to be obtained on and after the approval of this act by the commission, in its discretion, through the civil service or by contract, or renewal of existing contract, or otherwise.

That permits the Interstate Commerce Commission to employ anybody it pleases.

Mr. WARREN. Subject to the civil service.

Mr. KING. No; but I want it subject to the present law, which means competitive bidding. I move to strike out that language, so that it will put the Interstate Commerce Commission in the same position as other commissions when they employ stenographic help—that it shall be competitive. The Senator remembers section 3709 of the Revised Statutes, which provides that in any contingency or emergency they are not compelled to resort to competitive bidding. I shall be glad if the Senator will accept that amendment and let it go to conference.

Mr. WARREN. I wish to say, before it goes there, that it was put in on the House side. Therefore, if the Senator insists upon it, we shall have to let it go to conference.

Mr. KING. I shall do so.

Mr. LENROOT. Mr. President, I do not think the Senator will accomplish what he wants at all. If you make it read "by contract," you could not get the reporting service of anyone now in the civil service that would not cost the Government anything additional, and would compel it all to be let by contract. Surely, the Senator does not want that.

Mr. KING. No; this is what I want: I want the Interstate Commerce Commission, in its arrangements of contracts for stenographic work—and they amount to tens of thousands of dollars annually—to resort to competitive bidding, as has been the case with many of the departments, and I think is intended to be the case.

Mr. WARREN. If the Senator will permit me right there, the trouble is, if we can call it trouble, that the Comptroller General has made a very strict finding on the language which the Senator has quoted about the emergency, in which he claims that stenographers must in all cases under the law be employed by contract, if it is only for an hour, a thousand miles away, or anything like that. The inconvenience to the Interstate Commerce Commission has been very great, and therefore it is sought to alleviate the situation by this language that was put in on the House side.

Mr. LENROOT. What is the Senator's amendment?

Mr. KING. To strike that out.

Mr. LENROOT. To strike out what—the words "civil service"?

Mr. KING. No; all those words right there. Of course, I was going to offer further the words "and contract stenographic reporting service," to substitute that.

Mr. SMOOT. If this goes out, then the Senator would not want that in?

Mr. KING. Strike that out and let it go to conference and work out something that will be satisfactory; just so that you preserve the competitive system. That is all I am interested in. I think the chairman agrees to that, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Utah. Without objection, it will be agreed to.

Mr. WARREN. Mr. Chairman, what was done with the amendment that I sent to the desk?

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 31, line 7, after the word "Association," it is proposed to insert:

*Provided*, That the expenditure of this sum shall not be restricted to a pro rata amount in any period of the fiscal year.

The amendment was agreed to.

Mr. WARREN. I send to the desk a further amendment.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 27, line 23, after the numerals "\$725,500," insert the following:

*Provided*, That hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Office of Public Buildings and Public Parks of the National Capital when the aggregate amount involved does not exceed the sum of \$50.

Mr. KING. Mr. President, why \$50 here and \$25 in the other amendment that we had a few minutes ago?

Mr. WARREN. One is more economical than the other; that is all.

Mr. SMOOT. No; in one the items purchased are always higher priced articles than lead pencils or things of that kind.

Mr. KING. I do not object.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WARREN. Mr. President, I have another amendment of the same general character. I send it to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 31, after line 7, it is proposed to insert the following as a separate paragraph:

Hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the bureaus under the Smithsonian Institution when the aggregate amount involved does not exceed the sum of \$50.

The amendment was agreed to.

Mr. WARREN. Mr. President, a further amendment. This amendment is to correct a small matter.

The president of the Geographic Board draws, or should draw, a salary of \$3,600. He has performed the service during the last year, but it seems that formerly he was in the General Land Office. He left there to go to the Department of Agriculture because he was needed there for 60 days or so. From there he went to the head of the Geographic Board work, and the Comptroller General for some reason has held up his pay; not because he has not done the work, not because the salary is not correct, but because of something that he felt was not according to the strict letter of the law in those changes. This is merely to correct that, so that this man may draw the pay that is now held up against him.

The VICE PRESIDENT. The amendment offered by the Senator from Wyoming will be stated.

The CHIEF CLERK. On page 32, line 16, after the numerals "\$3,645," it is proposed to insert a colon and the following proviso:

*Provided*, That the certificates by the Civil Service Commission issued June 29, 1926, and September 18, 1926, authorizing continuance in the service and transferring the present chairman of the United States Geographic Board from the Department of Agriculture with the same grade and salary to the appropriation for salaries and expenses United States Geographic Board are hereby confirmed and validated, and the appropriation made by this act and that made by the act approved July 3, 1926 (44 Stat. L. p. 841), are made available for the payment of the salary of the present chairman of the United States Geographic Board for the fiscal years 1927 and 1928.

Mr. KING. Mr. President, may I inquire whether that involves a transfer for the purpose of increasing the compensation?

Mr. WARREN. Not at all. It is in the bill here, and all provided for for the next year, and probably will be all right hereafter; but this is just a correction.

The amendment was agreed to.

Mr. WARREN. Mr. President, I send to the desk another amendment. I perhaps ought to apologize to the Chair and to the Senate for having so many of these matters; but there was some confusion on the other side of the Capitol, and in their haste they allowed matters to go out rather than to question them, I presume, and we have had to propose certain changes for that reason.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 33, line 23, after the word "purposes," it is proposed to insert "the examination of estimates of appropriations in the field."

Mr. FLETCHER. Mr. President, the chairman of the committee is exceedingly courteous and considerate, and I feel obliged to ask him just what is meant by that—"the examination of estimates of appropriations in the field." What does that contemplate? What does it involve? What is it for?

Mr. WARREN. It has been asked for and was put in in the House. It was then struck out there; and, of course, if the Senator wishes to strike it out here, he can do so; but it seemed to me, in looking over the situation, that it had gone out more by mistake than for any reason on the House side.

Mr. FLETCHER. I had no purpose to raise the point of order if it is deemed important. The paragraph reads:

For expenses of the United States Shipping Board Emergency Fleet Corporation during the fiscal year ending June 30, 1928, for administrative purposes, the examination of estimates of appropriations in the field, miscellaneous adjustments—

And so forth. Does that mean that they are going to send out a lot of people all over the country to make examinations?

Mr. CURTIS. No, Mr. President; there are a few places where they must make estimates in the field, and this is to meet the expenses required. There are only a very few instances where it is done.

Mr. FLETCHER. I should think the law would take care of that.

Mr. CURTIS. It does not, unfortunately; and this amendment is necessary to do that.

Mr. FLETCHER. If it is considered important, I do not want to place any obstacle in the way.

Mr. CURTIS. Both committees were unanimous for it, in both the House and the Senate.

Mr. FLETCHER. I presume very likely the law fixes the expenses of those people at so much a day—say \$6 or \$4 a day—and they have to pay more than that, I presume, to have this work done. I think likely that is what this is intended to cover. Perhaps it is important work; but I do not want to see the Shipping Board sending out agents everywhere, all over the country, to investigate these offices, and paying out a big lot of money for it.

Mr. KING. Mr. President, before passing that item on the Shipping Board, it will, of course, be utterly futile to conduct any effective opposition to this appropriation of \$17,000,000 for the Shipping Board to aid it in meeting the deficits resulting from operation. We have squandered now over three billion dollars on the Shipping Board. We are going to continue to squander millions more. What we ought to do is to wind it up quietly, sell the ships, get them under the American flag, and let private enterprise operate these ships. Our experience with vessels, like practically every other enterprise of a private character conducted by the Government, is mortifying and disappointing—disappointing not only in the sense that some think the Government can do business the same as private persons can, but it is disappointing to many who feel the unwisdom of pursuing this course. The Government of the United States is not a private corporation. It is organized for the purpose of transacting certain public business national in character, and to maintain a shipping board as a private enterprise, and pour out millions and millions, as we are doing, to me seems most unwise. I regret that we do not pursue a different policy and direct the sale of these ships, get them into the hands of private individuals, liquidate this enterprise at the earliest possible moment, and take our loss, which will aggregate billions. I am against this appropriation, and if I thought it would do any good to move to strike it out, I certainly would make the motion.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WARREN. Mr. President, I have another amendment to send to the desk, made necessary because of a matter which General Hines, of the Veterans' Bureau, called to our attention just as we were about to report the bill.

The VICE PRESIDENT. The clerk will report the amendment.

The CHIEF CLERK. On page 39, in line 15, after the numerals "\$35,275,000" insert the following proviso:

Provided, That this appropriation shall be available for the purchase of subsistence supplies for sale to employees, the appropriation being reimbursed by the proceeds of such sales.

Mr. KING. Mr. President, does that mean that this bureau is to go into the merchandising business to buy supplies?

Mr. WARREN. Oh, no; it is only to apply to cases of immediate necessity, so that food may be issued to employees, but the money will come back and go into the Treasury. It is a matter of accommodation entirely.

Mr. KING. It is not contemplated that the Veterans' Bureau shall do as the Navy does—buy goods and sell them to the employees of the bureau?

Mr. LENROOT. They may do that.

Mr. KING. I raise the point of order against it. I have had many applications from Government employees, who seem to think that the Government of the United States ought to set up stores wherever there are Government employees and sell merchandise to them.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. WARREN. Now, we return to the Shipping Board, which has seemed to raise quite a hurricane whenever it is considered. Built as the fleet was, as an emergency, it was known as the "emergency fleet." The term "emergency fleet" seemed to be all right during the war, but General Dalton, president of the board, has stated that he meets with great inconvenience, and he thinks loss, on account of that word "emergency." Now, during peace times, when he wants to do business, to take on freight here and there, and to contract ahead, as the fleet goes from one country to another, he meets with difficulty. He thinks the word "emergency" rather carries with it the idea that the fleet will exist for only a short time. Therefore I send to the desk several amendments, but unless the first amendment of two lines is agreed to, the others need not be considered. The later amendments are merely to change the name or designation in the different places in the bill, provided the first amendment shall be agreed to.

Mr. KING. Are these amendments only to change the name of the baby?

Mr. SMOOT. That is all.

The VICE PRESIDENT. The clerk will report the first amendment.

The CHIEF CLERK. On page 35, after line 25, insert as a new paragraph the following:

Hereafter the United States Shipping Board Emergency Fleet Corporation shall be known as the United States Shipping Board Merchant Fleet Corporation.

The amendment was agreed to.

The next amendment was, on page 33, line 22, to strike out the word "Emergency" and insert in lieu thereof the word "Merchant."

The amendment was agreed to.

The next amendment was, on page 35, line 1, to strike out the word "Emergency" and insert in lieu thereof the word "Merchant."

The amendment was agreed to.

The next amendment was, on page 35, line 12, to strike out the word "Emergency" and insert in lieu thereof the word "Merchant."

The amendment was agreed to.

The next amendment was, on page 35, line 16, to strike out the word "Emergency" and insert in lieu thereof the word "Merchant."

The amendment was agreed to.

The next amendment was, on page 35, line 22, to strike out the word "Emergency" and insert in lieu thereof the word "Merchant."

The amendment was agreed to.

Mr. WARREN. That completes the bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. LENROOT. Mr. President, before the final vote is taken on this bill, I want to make one observation with regard to the report of the committee upon it.

All the matters of legislation which have been offered by the chairman of the committee have been offered pursuant to the following, which is found in the report:



The following amendments were approved by the committee, and the chairman of the subcommittee authorized to offer the same to the bill in the Senate.

For the Committee on Appropriations to authorize the chairman to offer matters of legislation is entirely beyond the province and the jurisdiction of the Committee on Appropriations. The Committee on Appropriations has no jurisdiction to pass upon matters of this character, and if offered upon the floor amendments should be offered by the chairman or other member of the committee or Senators as an individual matter. They should not have behind them the report and support of a committee that has not jurisdiction of the subject matter.

I made my protest in committee, and I want to say very frankly that if this form of report, which is in violation clearly of the spirit of the rule if not its letter, is to be continued, I shall be compelled to make points of order on the floor against amendments of that character which are offered.

**THE VICE PRESIDENT.** The question is, Shall the bill pass?

The bill was passed.

#### THE COORDINATION OF OUR TRANSPORTATION SYSTEMS—ADDRESS BY SENATOR ODDIE

**Mr. WATSON.** Mr. President. I ask unanimous consent to place in the Record an address delivered by the junior Senator from Nevada [Mr. Oddie] before the Transportation Club of the Pennsylvania Railroad at the Penn Athletic Club, Philadelphia, on last Saturday evening.

**THE VICE PRESIDENT.** Without objection, leave is granted. The address is as follows:

**Mr. ODDIE.** No railway has had a more extended experience or a more successful one than the Pennsylvania Railroad, with its unbroken record of profitable operation and adequate service, which is the natural result of its uniformly farsighted and wise policies in anticipating and supplying the needs of the public for transportation.

It is therefore an unusual honor and a great pleasure for me to address you, the executives of this vast system, who are carrying out progressively the sound, fundamental policies inaugurated by your predecessors and developing those new ones required to accommodate changing conditions.

It took George Washington 13 days to drive by coach and four from New York to Annapolis to attend a ball given in his honor and to celebrate the conclusion of peace between Great Britain and the Colonies. To-day this trip can be made in five hours.

Since 1784 transportation has developed proportionately with the growth of our country. The steam engine, the electric motor, and the gasoline engine used on our railroads, our highways, and our waterways have made possible the development of our present transportation system, which has been the main contributing factor in the growth of our country, which enables us to market at home and abroad our agricultural and industrial output, and which makes quickly available at our doors the products of the world. Thus have the age-long barriers to economic progress and social intercourse been broken down.

The single horse owned by the first governor of the Jamestown Colony, and listed in the archives of the community as the sole medium of travel other than that provided by the hardy limbs of the pioneers themselves, has been replaced by a transportation plant which includes 250,000 miles of steam railroads and nearly 50,000 miles of electric railroads which, with their equipment, are valued at over \$27,000,000,000; over 3,000,000 miles of highways, of which 500,000 miles are surfaced; and 22,330,000 motor vehicles valued, including the highways, at \$26,500,000,000. With an investment of about \$1,000,000,000 in the improvement of our rivers and harbors and in the construction of canals, the total investment in our transportation plant is not less than \$55,000,000,000.

During my entire term of office I have taken an active interest in Federal aid highway legislation, and in the last Congress was honored by having complete charge of such legislation on the floor of the Senate. As one of the most important problems with which we have to deal is the use of the highway by the increasing number of automobiles and trucks, I shall discuss this particular subject more in detail.

The internal-combustion engine which forms the basis of the automotive industry was first tested as a medium for the self-propulsion of vehicles on the highways in 1893. Four automobiles were placed in service in 1894, one of them as a side show in a circus and the others chiefly as curiosities. In 1925 four and one-third million automotive vehicles were produced in this country. The wholesale value of these vehicles was \$4,210,000,000, and their manufacture gave employment to 3,500,000 people. The annual operating cost of the country's more than 22,000,000 automotive vehicles is now about \$10,000,000,000. The country's annual highway expenditures are about \$1,000,000,000, which makes its yearly cost of motor transportation about \$11,000,000,000.

Forty thousand miles of improved highway are built each year in this country. Of the more than 22,000,000 motor vehicles registered in 1925 there are approximately 80,000 busses, 125,000 taxicabs and other for-hire passenger carriers, and 2,800,000 trucks, which are used in the purely commercial field. In the passenger-carrying field there are, according to the estimates for the year of the motor-bus division of the American Automobile Association, 40,600 motor busses, valued at \$241,000,000, which traverse 300,000 miles of route. By the end of the year it is estimated that they will have been responsible for more than 1,900,000,000 bus-miles and 15,200,000,000 passenger-miles. Their estimated total revenue will be over \$608,000,000. The average revenue per passenger-mile is given at 4 cents, and the average per bus-mile, 32 cents. The remaining 19,000,000 motor vehicles are mostly owned and used by private persons.

According to operators of motor trucks and shippers who have employed their facilities, the chief advantages of motor-truck operation are flexibility, speed of delivery, savings in expensive packing, savings in cost of rehandling, pick-up and store-door delivery service, and more rapid capital turnover.

Our improved highways and the present-day well-developed automotive system have had a profound effect on our standard of living and on the life of the individual and of the Nation. Americans are no longer compelled to remain in one place. They can travel easily and as they will—from farm to market, from town to town, from State to State. They are moving farther away from their places of business, out into the suburbs or into the country. They are enjoying the blessings of health and recreation in our national parks and in the great wild open spaces which our mountains, our lakes, and our sea-coasts afford. They are changing their manufacturing and business practices and enlarging and broadening the scope of their operations, and they are finding new markets heretofore inaccessible.

Too much credit can not be given to the American Association of Railway Executives and other organizations versed in the operation and economics of our great railroad transportation system for all its development, and also to the American Automobile Association, the National Automobile Chamber of Commerce, and the American Association of State Highway Officials for the immense growth and success of the automotive transportation industry, including our system of highways.

Transportation breeds transportation in all its forms. Highway and waterway developments have stimulated rail transportation, and vice versa. We have but to examine the weekly freight car loadings of the railroads of the country—about 1,000,000 per week—the statistics of electric railways and of waterways use, and to observe with our own eyes the daily flow of motor transport to convince ourselves that the whole Nation is progressing at a phenomenal rate.

Each of these facts is of significance in our approach to the problem of transportation, because, with a population of 113,000,000 and a constant increase year by year, both in the number of people and the tonnage of their output and consumption, we must realize that our transportation facilities, of whatever nature, must continue to grow if the whole structure of the economic and social life of the Nation is to be maintained unimpaired and allowed to develop.

From the foregoing it is evident that we should be concerned not with the temporary difficulties that arise from the constant readjustments which are going on in this field but rather with the formulation of a broad national policy of coordinated transportation.

The question is not one of considering the immediate interests of any one branch of transportation, but rather of making an examination into the large national question of how we can provide the public with a more efficient and complete system of transportation which shall be best adapted to present and future needs.

It has been demonstrated that there is a very definite and urgent demand for highway motor service independent of, supplemental to, and as an integral part of rail transportation. There are about 45,000 communities in the United States which are served only by the automobile truck or bus, and by this means connected with the railroad lines of the country and the large centers. The present good-roads movement and the growth of the automotive industry contemplates connecting every county seat in the United States and reaching virtually every community of 5,000 people or more.

The latest figures from the Bureau of Public Roads indicate that the motor vehicle owners are to-day practically paying the bills for the building and maintaining of the highways of the country. This shows that our good-roads progress throughout the country is not a burden on any one community for the benefit of another. It is a wise, just, and progressive movement, constitutional and practical.

In the highway development of the country the railroad will continue to be one of the important factors. In 1910 the Pennsylvania Railroad officials sent out a "good roads" train, in cooperation with the United States Bureau of Public Roads, to carry a message of the importance of road construction to the people of Pennsylvania. This railroad has also entered the field of truck and bus operation in an effort to provide the public with the most complete system of transportation possible in the light of modern achievement. Other great

railroad systems in the country have also made important advances along these lines.

The railroads are the most efficient agents yet developed for long-distance mass transportation on land, and there is no form of transportation that can be economically substituted for it.

The customary and expected increase in railroad-passenger business has been growing smaller of late, as evidenced by the following figures: From 1890 to 1902 the increase was 66 per cent; from 1901 to 1913 it was 100 per cent; but from 1913 to 1925 it was only 6 per cent. Undoubtedly part of this decline in railroad-passenger growth is due to passenger-carrying automobiles on the highways.

In a lesser degree the same thing can be said regarding the decline in the customary and expected increase in freight tonnage on the railroads, which the following figures will show: From 1890 to 1902 the increase in ton-miles was 106 per cent; from 1901 to 1913 the increase was 102 per cent; but from 1913 to 1925 the increase was only 38 per cent.

There is no doubt that the freight-carrying truck on the highways takes business from the railroad, but there is also no doubt that the automotive industry creates business for the railroads. It seems, however, fair to say that the fact that freight traffic has increased by even as comparatively little as 38 per cent in the past 12 years means either that the direct and indirect freight contributions of the automotive industry have more than offset the freight which the trucks have taken from the railroads, or that the growth of freight traffic has more than made up the loss due to the operation of the truck on the highway.

By fairly presenting the facts and conditions relating to these branches of transportation, between which there is a certain amount of competition, we can more quickly arrive at a satisfactory solution of the problem which will ultimately lead to profitable and practicable coordination.

A reasonable illustration of the impracticability of substituting automotive for rail carriers on the highways altogether and of the great necessity for maintaining the latter unimpaired is found in the modern through freight train, which hauls several thousand tons of freight with one power unit at an average cost of slightly over 1 cent per ton per mile. This wholesale transportation—long-distance carriage of essential commodities in large quantities—can not be profitably or practicably replaced by heavy-duty motor trucks on our highways. The motor truck should be considered as the means of retail transportation, because it is satisfying a rapidly increasing demand for short-haul movement.

The problem therefore resolves itself into one of giving improved service and safeguarding the investment, property, and organization of the railroads, which represent a capital outlay of over \$20,000,000,000. Too much can not be said for the great railroad organization. After 100 years of development it has become expert in the business of transportation. It has become stable and has developed reliability. It has educated an army of able and faithful men, to whom care and safety are second nature. It has created such confidence in the public mind that millions of individuals, in varying amounts, own this great transportation machine itself.

Unnecessary duplication of facilities should be avoided by coordination. Unnecessary duplication spells waste, and waste makes for financial weakness. So long as the railroads are essential elements of production, so long should destructive waste be avoided; for their financial integrity must be maintained if they are to be allowed to grow with the demands of industrial development. Public necessity is the yardstick by which transportation development is measured.

One of the important matters to be decided as a phase of our national policy is that of automotive vehicle regulation. Much confusion exists on this point, although study is doing much to clarify public opinion with respect to it.

Such regulation as shall be undertaken, however, should be considered solely from the viewpoint of the public interest. The studies of the Bureau of Public Roads show practically all of the truck operations of the country to be in the hands of owner operators and used by them as any other part of their business equipment.

The public demands safe and efficient operation, and should not permit any limitation by regulation which destroys the efficiency of any necessary agency of transportation.

According to C. S. Duncan, economist of the American Association of Railway Executives, the recent Interstate Commerce Commission hearings developed clearly the fact that there does not now exist in the country a demand from the general public for motor-vehicle regulation in interstate commerce. The shippers, who must use motor trucks, opposed regulation of the motor truck at this time. The same position was taken by the members of the National Grange in their annual meeting in Portland, Oreg., in November, and by the National Industrial Traffic League. On the other hand, it was developed at the hearings that there is a strong demand for the regulation of the motor passenger bus; and this is voiced by the motor-bus operators themselves.

It is not probable that "primary" transportation, which comprehends the transportation by the owner of the vehicle of himself or his

product, and which has always been independent and limited in its scope only by the condition of the highway and the type of motive power, should ever be made the subject of the same degree of control as "secondary" transportation, which includes railroads, steamship lines, and other branches of transportation for hire.

In arriving at a solution of this problem we must consider the maintenance of the stability of the great branch of "secondary" transportation—the railroad—together with its continued regulation in the public interest. We must provide for such expansion of the secondary transportation machine as will permit it freely to take advantage of the units which by themselves would continue to function in the field of primary transportation, leaving the uncoordinated units at liberty to function as freely as ever.

Common-carrier motor transportation, both passenger and freight, from the time of its inauguration to the present date, has been essentially local in character. With development it has grown in public favor and reached its present status as an important public agency. Various States have enacted legislation to regulate its operation and protect the shipping and traveling public. Starting with Pennsylvania in 1914, the regulation of motor-vehicle common carriers of passengers has spread to 40 States. In 38 of the 40 States the regulation is based upon the prerequisite of a certificate of public convenience and necessity. In the other two States—Wisconsin and Oregon—no such certificate is required, but regulation is exercised over fares, routes, service, etc. Thirty States are at present attempting the regulation of automotive common carriers of freight to a greater or less extent.

It is believed that great caution and a concentrated study over a considerable period of time is needed before fair, reasonable, and effective regulation of the motor truck can be brought about.

Congress had its first direct experience with motor-vehicle common-carrier regulatory problems during the last session. Since the United States Supreme Court decisions were rendered, depriving the States of authority to regulate interstate motor-vehicle common-carrier transportation and charging Congress with the responsibility of regulation, two bills regulating the common-carrier business of passenger buses and motor trucks engaged in interstate commerce on the public highways have recently been before Congress, but have not been acted on.

It is apparent that the results of the studies made by the operators of the motor passenger-carrying vehicle in interstate commerce have led them to the definite conclusion that Congress must, in the relatively near future, enact regulatory legislation for this rapidly growing branch of the automotive-transportation industry. The problem of the motor truck and its operation should be further studied by that industry and the Interstate Commerce Commission, for the purpose of later regulating it in such manner and to such extent as the results of that study shall indicate to be in the best interest of all concerned.

The trouble to-day with our transportation system in its entirety is that each method has been developed independently and in competition with existing forms. This condition could hardly be helped when things were in their initial and transitory stage; but now that development is so far advanced in our railway, highway, and waterway facilities, the time has come for us to look for coordination.

Several of our large railroad systems have for the past three years or more given considerable attention to the advantages of coordinated rail and motor service. It is gratifying to note that, according to latest statistics, 41 railroads are now using motor buses and 60 railroads are using motor trucks as a part of their transportation service. The electric railways, both street and interurban, are showing wonderful results since the coordinated plan of electric, rail, and bus transportation was adopted. To-day there are some 344 electric railway companies operating over 7,000 buses. While no accurate estimate has been made, I believe that the economies effected and the increased efficiency of service made possible by such coordinated operation have been considerable.

As an illustration of the benefit which has been derived from coordination, no better example can be pointed out than this great Pennsylvania Railroad System, which but a few generations ago consisted of a large number of independently owned and operated railroads, such as we now term "short-line railroads." The public interest required better and more economical transportation service than those uncoordinated elements of transportation could furnish, and thus was this present system welded together from independent units into a coordinated whole. Doubtless there are residents of Philadelphia who can recall the time when it required many changes of train to make the journey from New York to Chicago.

The constant growth of our great country will require all of the transportation facilities which the railroads and all of the other transportation agencies can furnish. Every part of our great transportation system must be made capable of doing its share of the great work ahead. Each has its place and duty to perform, and each will be rated according to the service it renders.

Coordination seems to be the only proper solution. It has been undertaken in many cases, and has proved successful in the sections of the country where the experiment has been tried. It must be undertaken, however, on a broader scale, free from the criticism of the possible destructive effect on any existing agency.



## RECESS

Mr. CURTIS. I move that the Senate take a recess, the recess being until 11 o'clock to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.), under the order previously entered, took a recess until to-morrow, Wednesday, January 19, 1927, at 11 o'clock a. m.

## NOMINATIONS

*Executive nominations received by the Senate January 18, 1927*

## PROMOTIONS IN THE NAVY

Rear Admiral Richard H. Leigh, United States Navy, to be Chief of the Bureau of Navigation in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 10th day of February, 1927.

Commander Aubrey K. Shoup to be a captain in the Navy from the 2d day of October, 1926.

Lieut. Commander Worrall R. Carter to be a commander in the Navy from the 4th day of June, 1926.

Lieut. Commander Frank T. Leighton to be a commander in the Navy from the 2d day of October, 1926.

Lieut. Arthur T. Emerson to be a lieutenant commander in the Navy from the 27th day of September, 1926.

Lieut. Gail Morgan to be a lieutenant commander in the Navy from the 14th day of November, 1926.

Lieut. (Junior Grade) John A. Waters, jr., to be a lieutenant in the Navy from the 14th day of September, 1926.

Lieut. (Junior Grade) John M. Eggleston to be a lieutenant in the Navy from the 16th day of September, 1926.

Lieut. (Junior Grade) John F. Grube to be a lieutenant in the Navy from the 27th day of September, 1926.

Lieut. (Junior Grade) Dwight H. Wilson to be a lieutenant in the Navy from the 31st day of October, 1926.

Ensign Cecil C. Adell, an additional number in grade, to be a lieutenant (junior grade) in the Navy from the 3d day of June, 1925.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of June, 1925:

Ralph F. Bradford, jr.

Jesse G. Coward.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 8th day of June, 1926:

Anthony Kennedy, jr.

John H. Parrott.

Medical Inspector Ralph W. Plummer to be a medical director in the Navy, with the rank of captain, from the 3d day of June, 1921.

Medical Inspector Robert G. Heiner to be a medical director in the Navy, with the rank of captain, from the 4th day of June, 1925.

The following-named medical inspectors to be medical directors in the Navy, with the rank of captain, from the 1st day of July, 1926:

Edward H. H. Old.

John B. Kaufman.

Surg. Howard F. Lawrence to be a medical inspector in the Navy, with the rank of commander, from the 3d day of June, 1921.

Surg. John G. Ziegler to be a medical inspector in the Navy, with the rank of commander, from the 31st day of December, 1921.

Surg. Edwin L. Jones to be a medical inspector in the Navy, with the rank of commander, from the 1st day of January, 1921.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 3d day of June, 1921:

Edward V. Valz.

Harry R. Hermesesch.

Alexander B. Hayward.

William H. Short.

Gordon D. Hale.

Lawrence M. Schmidt.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 15th day of May, 1925:

Reginald B. Henry.

Chandler W. Smith.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 28th day of August, 1926:

William E. Eaton.

Lester L. Pratt.

Robert F. Jones.

Carroll R. Baker.

Frank H. Haigler.

Jasper V. Howard.

Chester M. George.

John T. Borden.

Daniel Hunt.

Frederick Ceres.

Jesse B. Helm.

Pay Inspector Noel W. Grant to be a pay director in the Navy, with the rank of captain, from the 5th day of June, 1924.

Passed Asst. Paymaster Vernon H. Wheeler to be a paymaster in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1926.

Asst. Paymaster Melbourne N. Gilbert to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 4th day of June, 1926.

Machinist Walter H. Wilson to be a chief machinist in the Navy, to rank with but after ensign, from the 5th day of August, 1926.

Machinist Francis R. Good to be a chief machinist in the Navy, to rank with but after ensign, from the 30th day of October, 1926.

Chief Pay Clerk Howard N. Walling to be a chief pay clerk in the Navy, to rank with but after ensign, from the 2d day of February, 1926, to correct the date from which he takes rank as previously nominated and confirmed.

Ensign Frederick K. McElroy to be a lieutenant (junior grade) in the Navy, from the 8th day of June, 1926.

## POSTMASTERS

## CALIFORNIA

Mabel A. Head to be postmaster at Garden Grove, Calif., in place of M. A. Head. Incumbent's commission expired January 11, 1927.

## FLORIDA

Rubye C. Fenton to be postmaster at Homosassa, Fla. Office became presidential April 1, 1926.

## ILLINOIS

Harry B. Rigsbee to be postmaster at Donners Grove, Ill., in place of C. H. Staats. Incumbent's commission expired December 19, 1925.

Benjamin A. Miller to be postmaster at Geneva, Ill., in place of B. A. Miller. Incumbent's commission expired October 11, 1925.

Syrena B. Roth to be postmaster at Hinsdale, Ill., in place of Norman Jefferson. Incumbent's commission expired May 15, 1926.

Sankey S. Good to be postmaster at Naperville, Ill., in place of N. H. Webster. Incumbent's commission expired June 21, 1926.

Owen A. Robison to be postmaster at Palmyra, Ill., in place of O. A. Robison. Incumbent's commission expired January 10, 1927.

John R. Burris to be postmaster at Virden, Ill., in place of A. M. Wyatt. Incumbent's commission expired October 20, 1925.

Michael J. Moore to be postmaster at Maple Park, Ill., in place of J. C. Moore, resigned.

## INDIANA

Fred Austin to be postmaster at Birdseye, Ind., in place of Fred Austin. Incumbent's commission expired December 20, 1926.

Clarence E. Sparling to be postmaster at Osgood, Ind., in place of C. E. Sparling. Incumbent's commission expired June 8, 1926.

James S. Wright to be postmaster at Vevay, Ind., in place of J. S. Wright. Incumbent's commission expired December 30, 1926.

Vivian Milburn to be postmaster at Patoka, Ind. Office became presidential July 1, 1926.

## IOWA

Charles A. Clark to be postmaster at Fort Des Moines, Iowa, in place of C. A. Clark. Incumbent's commission expires March 1, 1927.

Hervey W. Dahlstrom to be postmaster at Farmersburg, Iowa, in place of S. L. Shales, resigned.

## KANSAS

Frank W. Coleman to be postmaster at Oskaloosa, Kans., in place of F. W. Coleman. Incumbent's commission expired May 2, 1926.

## KENTUCKY

Rufus L. Wilkey to be postmaster at Clay, Ky., in place of E. E. Shelton. Incumbent's commission expired August 4, 1926.

## LOUISIANA

Myrtle K. Abell to be postmaster at Welsh, La., in place of William Fear. Incumbent's commission expired September 2, 1926.

## MARYLAND

William L. Whittington to be postmaster at Crisfield, Md., in place of W. L. Whittington. Incumbent's commission expires January 26, 1927.

Samuel G. Nuttle to be postmaster at Denton, Md., in place of S. G. Nuttle. Incumbent's commission expired March 7, 1926.

Clayton J. Scarborough to be postmaster at Girdletree, Md., in place of C. J. Scarborough. Incumbent's commission expired January 24, 1926.

Elwood C. Orrell to be postmaster at Greensboro, Md., in place of E. C. Orrell. Incumbent's commission expired December 14, 1926.

Susie S. Thompson to be postmaster at Hillsboro, Md., in place of S. S. Thompson. Incumbent's commission expired April 29, 1926.

David S. Hickman to be postmaster at Snow Hill, Md., in place of D. S. Hickman. Incumbent's commission expired December 14, 1926.

## MICHIGAN

Teffell R. Ward to be postmaster at Big Bay, Mich., in place of J. B. Deutsch, resigned.

## MINNESOTA

Benjamin H. Peoples to be postmaster at Detroit Lakes, Minn., in place of B. H. Peoples. Incumbent's commission expires January 29, 1927.

C. Edward Sarff to be postmaster at Keewatin, Minn., in place of C. E. Sarff. Incumbent's commission expired April 11, 1926.

Edward F. Joubert to be postmaster at Wheaton, Minn., in place of E. F. Joubert. Incumbent's commission expires January 25, 1927.

Mattie Dains to be postmaster at Morton, Minn., in place of F. E. Zumwinkle, resigned.

Cornelius V. Thurmond to be postmaster at Mound Bayou, Miss., in place of E. B. Jones. Incumbent's commission expired September 19, 1926.

Mabel A. Anderson to be postmaster at Northcarrollton, Miss., in place of M. A. Anderson. Incumbent's commission expired September 19, 1926.

## MISSOURI

George T. Platz, jr., to be postmaster at Brashear, Mo., in place of G. T. Platz, jr. Incumbent's commission expired September 19, 1926.

Robert W. Raines to be postmaster at Glasgow, Mo., in place of R. W. Raines. Incumbent's commission expired December 20, 1926.

James O. Erwin to be postmaster at Mokane, Mo., in place of J. O. Erwin. Incumbent's commission expired December 8, 1926.

## NEBRASKA

Alfred W. Cosson to be postmaster at Amherst, Nebr. Office became presidential July 1, 1926.

Elza Ury to be postmaster at Chapman, Nebr. Office became presidential July 1, 1926.

James O'Nele to be postmaster at Pleasanton, Nebr. Office became presidential July 1, 1926.

## NEW JERSEY

Annie E. Hoffman to be postmaster at Allenhurst, N. J., in place of A. E. Hoffman. Incumbent's commission expires January 30, 1927.

Charles W. Bodine to be postmaster at Morristown, N. J., in place of C. W. Bodine. Incumbent's commission expired January 13, 1927.

## NEW YORK

Benjamin W. Wellington to be postmaster at Corning, N. Y., in place of B. W. Wellington. Incumbent's commission expired January 12, 1927.

Hattie D. Lyon to be postmaster at East Setauket, N. Y., in place of H. D. Lyon. Incumbent's commission expired May 12, 1926.

James H. Layman to be postmaster at Haines Falls, N. Y., in place of Herbert O'Hara. Incumbent's commission expired February 14, 1926.

Clarence D. Tarbell to be postmaster at Ithaca, N. Y., in place of C. D. Tarbell. Incumbent's commission expired March 31, 1926.

Robert A. Lundy to be postmaster at Ray Brook, N. Y., in place of R. A. Lundy. Incumbent's commission expired July 11, 1926.

Charles C. Allen to be postmaster at Schuylerville, N. Y., in place of C. C. Allen. Incumbent's commission expires January 31, 1927.

Charles A. Van Sise to be postmaster at Syosset, N. Y., in place of C. A. Van Sise. Incumbent's commission expired September 8, 1926.

Wayland H. Mason to be postmaster at Fairport, N. Y., in place of A. N. Le Clear, deceased.

## NORTH CAROLINA

Charles F. Smathers to be postmaster at Canton, N. C., in place of C. F. Smathers. Incumbent's commission expires March 1, 1927.

Hugh C. Holloman to be postmaster at Aulander, N. C., in place of H. L. Early, resigned.

## NORTH DAKOTA

J. Dexter Peirce to be postmaster at Larimore, N. Dak., in place of J. D. Peirce. Incumbent's commission expired January 8, 1927.

Marie A. Borrud to be postmaster at Ross, N. Dak. Office became presidential July 1, 1926.

## OHIO

Edgar R. Holmes to be postmaster at Millersport, Ohio, in place of E. R. Holmes. Incumbent's commission expired May 15, 1926.

Clara J. Mitchell to be postmaster at Mount Pleasant, Ohio, in place of C. J. Mitchell. Incumbent's commission expired May 24, 1926.

Charlie D. Harvey to be postmaster at North Fairfield, Ohio, in place of C. D. Harvey. Incumbent's commission expires January 29, 1927.

William H. Aikin to be postmaster at Orwell, Ohio, in place of E. V. Geer, deceased.

Leora Morris to be postmaster at Warrensville, Ohio. Office became presidential July 1, 1926.

## OKLAHOMA

Ralph E. Godfrey to be postmaster at Crescent, Okla., in place of J. C. Patrick. Incumbent's commission expired August 4, 1925.

Sam A. Snyder to be postmaster at Hennessey, Okla., in place of S. A. Snyder. Incumbent's commission expired August 31, 1926.

Lura Williams to be postmaster at Manitou, Okla., in place of Lura Williams. Incumbent's commission expired September 8, 1926.

Otis E. Dale to be postmaster at Mountain Park, Okla., in place of O. E. Dale. Incumbent's commission expired September 8, 1926.

William W. Wagner to be postmaster at Orlando, Okla., in place of W. W. Wagner. Incumbent's commission expired August 23, 1926.

Mark Gough to be postmaster at Tipton, Okla., in place of G. H. Ethridge. Incumbent's commission expired January 17, 1926.

William C. Colvin to be postmaster at Westville, Okla., in place of W. C. Colvin. Incumbent's commission expired May 19, 1926.

## PENNSYLVANIA

Harrison J. Kromer to be postmaster at Merion Station, Pa., in place of H. J. Kromer. Incumbent's commission expired September 19, 1922.

Ralph B. Kunkle to be postmaster at Homer City, Pa., in place of R. B. Kunkle. Incumbent's commission expires January 22, 1927.

Clarence A. Majer to be postmaster at Pocono Pines, Pa., in place of P. R. Majer, resigned.

## SOUTH CAROLINA

William M. Harris to be postmaster at Barnwell, S. C., in place of R. A. Deason. Incumbent's commission expired March 2, 1926.

## SOUTH DAKOTA

William O. Johnson to be postmaster at Faulkton, S. Dak., in place of J. P. Turner. Incumbent's commission expired May 10, 1926.

Harry C. Sherin to be postmaster at South Shore, S. Dak., in place of H. S. Sherin. Incumbent's commission expired October 3, 1925.

Oscar W. Geranen to be postmaster at Lake Norden, S. Dak., in place of E. G. Esteinsen, resigned.

## TENNESSEE

Jasper A. Berry to be postmaster at Bullsgap, Tenn., in place of H. W. Addington. Incumbent's commission expired November 22, 1925.

Byrd P. Allison to be postmaster at Gallatin, Tenn., in place of B. P. Allison. Incumbent's commission expires February 14, 1927.



Lizzie Roney to be postmaster at Fountain Head, Tenn. Office became presidential July 1, 1926.

## TEXAS

Hugh W. Cunningham to be postmaster at Eliasville, Tex., in place of H. W. Cunningham. Incumbent's commission expired January 5, 1927.

Joseph C. Council to be postmaster at Granger, Tex., in place of J. C. Council. Incumbent's commission expires January 29, 1927.

Bertha Moore to be postmaster at Trinidad, Tex. Office became presidential July 1, 1926.

E. Otho Driskell to be postmaster at Mansfield, Tex., in place of E. O. Driskell. Incumbent's commission expires January 29, 1927.

Dyde Manning to be postmaster at Wills Point, Tex., in place of Dyde Manning. Incumbent's commission expires January 25, 1927.

## UTAH

Leon P. Ralphs to be postmaster at Ferron, Utah, in place of E. H. Greenhalgh. Incumbent's commission expired April 11, 1926.

## VIRGINIA

William H. Moatz to be postmaster at Round Hill, Va., in place of W. H. Moatz. Incumbent's commission expired August 24, 1926.

## WEST VIRGINIA

Homer B. Lynch to be postmaster at Gorman, W. Va., in place of L. F. Harvey, resigned.

John T. Weaver to be postmaster at Sprigg, W. Va. Office became presidential July 1, 1926.

Edgar Hamby to be postmaster at Twin Branch, W. Va. Office became presidential July 1, 1926.

## WISCONSIN

Ferdinand A. Nierode to be postmaster at Grafton, Wis., in place of F. A. Nierode. Incumbent's commission expires January 29, 1927.

David L. Mann to be postmaster at Horicon, Wis., in place of D. L. Mann. Incumbent's commission expires January 29, 1927.

Carrie K. Lehner to be postmaster at Juneau, Wis., in place of C. K. Lehner. Incumbent's commission expires January 29, 1927.

Robert J. Harland to be postmaster at Marshall, Wis., in place of C. H. Lake. Incumbent's commission expired February 15, 1926.

James D. Nicholson to be postmaster at Milltown, Wis., in place of J. D. Nicholson. Incumbent's commission expired September 22, 1926.

Cora L. Evenson to be postmaster at Rio, Wis., in place of C. L. Evenson. Incumbent's commission expires January 29, 1927.

Elmer E. Haight to be postmaster at Poynette, Wis., in place of E. H. Haight. Incumbent's commission expires January 29, 1927.

Ralph W. Lathrop to be postmaster at Wauzeka, Wis., in place of B. M. Gregersen, deceased.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate January 18, 1927*

## UNITED STATES MARSHAL

James H. Hammons to be marshal, eastern district of Kentucky.

## POSTMASTERS

## GEORGIA

James A. Griffin, Cordele.

Joseph C. Thames, Crumps Park.

William C. Chambers, Fort Gaines.

William V. Cobb, Smyrna.

## ILLINOIS

Evelyn E. O'Brien, Amboy.

Harry S. Farmer, Farmer City.

John J. Lord, Galva.

George J. Rohweder, Geneseo.

John J. Stowe, Girard.

Peter H. Conzet, Greenup.

Roy F. Dusenbury, Kankakee.

John A. Dausmann, Lebanon.

Margaret B. Heider, Minonk.

Benjamin S. Price, Mount Morris.

John Lawrence, jr., O'Fallon.  
Harold J. Henderson, Raymond.  
Charles L. Tanner, Saunemin.  
William F. Hemenway, Sycamore.  
Vernon G. Keplinger, Waverly.

## IOWA

Jesse A. Barnes, Brooklyn.

John F. Schoof, Denver.

Lorenzo D. Howorth, Dunlap.

Henry H. Gilbertson, Lansing.

Edward K. Pitman, Northwood.

Gabriel L. Archer, St. Charles.

## KANSAS

Lewis Thomas, Argonia.

Clark L. Porter, Blue Mound.

Hester Goldsmith, Cheney.

William D. Hale, Dexter.

Norman W. Nixon, Downs.

Delle Duncan, Esbon.

Frank H. Hanson, Haddam.

Albert H. Herman, Hiawatha.

William R. Waring, Hope.

Charles H. Browne, Horton.

Gordon K. Logan, Kirwin.

Carl O. Lincoln, Lindsborg.

Elam Shaffstall, Luray.

Frank H. Dieter, Oakhill.

James M. Kersey, Parsons.

Roll'e B. Terrill, Robinson.

Everett H. Cutbirth, Silver Lake.

Nettie M. Cox, Wellington.

## MASSACHUSETTS

Clarence E. Deane, Athol.

Joseph E. Herrick, Beverly.

Augustus J. Formhals, Erving.

Carl D. Thatcher, Housatonic.

Charles E. Goodhue, Ipswich.

Edmund Spencer, Lenox.

John H. Baker, Marlboro.

Thomas Smith, North Grafton.

Albert Pierce, Salem.

Robert H. Howes, Southboro.

William K. Kaynor, Springfield.

George H. Lochman, Winchester.

## MICHIGAN

Herbert E. Ward, Bangor.

William J. Putnam, Goodrich.

Ernest A. Densmore, Mason.

Ira J. Stephens, Mendon.

Carl A. Anderson, Menominee.

Arthur Locke, Middleton.

Charles J. Kappler, Port Austin.

Dorr A. Rosencrans, Reed City.

Charles H. Dodge, Romeo.

Frank B. Housel, St. Louis.

Charles A. Jordan, Saline.

Homer L. Allard, Sturgis.

## NEW MEXICO

Pearl B. Grady, Texico.

## NORTH DAKOTA

Anastacia Rohde, Drake.

Orlando J. Lebacken, Reynolds.

## OKLAHOMA

Ward Guffy, Cleveland.

Murray M. Adams, Denoya.

Effie J. Malone, Harrah.

Hubbard A. Babb, Hugo.

Estella Sahland, Locust Grove.

William A. Peters, Sallisaw.

Thomas W. Kelly, Stillwater.

George Logsdon, Taloga.

## SOUTH DAKOTA

Evert D. Law, Bonesteel.

George E. Conrick, Chamberlain.

Frank Den Beste, Corsica.

Frank H. Holdhusen, Houghton.

Mathias D. Elde, Howard.

Benny P. Humphreys, Reliance.

Frank E. Stephan, Tolstoy.

Jacob L. Bergstreser, Willow Lake.

Clarence I. Hougén, Wilmont.

## WISCONSIN

Clara M. Johnson, Ettrick.  
Lester C. Porter, Fontana.  
Elsie O. Barnes, Friendship.  
George W. Taft, Necedah.  
Clytie Geiger, Rothschild.  
Margaret E. Glassow, Schofield.  
LeRoy Winters, Twin Lakes.

## WITHDRAWAL

*Executive nomination withdrawn from the Senate January 18, 1927*

POSTMASTER  
KENTUCKY

Sidney A. Lovelace to be postmaster at London, in the State of Kentucky.

## HOUSE OF REPRESENTATIVES

TUESDAY, January 18, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord God, hear our prayer. Pity us in our failures, pity us in our tendencies, and hearken when we call. From Thee no secret thing is hidden; all hearts are open before Thee. Cleanse Thou us and still Thy sheltering arm extend. Withhold not, but be unto us a sun and shield. Bestow upon all parts of our country that guiding wisdom by which every problem shall be settled justly. O let the blessings of our Christian civilization be thoroughly diffused through the great instrumentalities of our Republic. Amen.

The Journal of the proceedings of yesterday was read and approved.

## BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that January 17 they presented to the President of the United States for his approval the following bill:

H. R. 14236. An act granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La.

## MATERNITY

Mr. PARKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7555) to authorize for the fiscal years ending June 30, 1928, and June 30, 1929, appropriations for carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, do I understand this will require unanimous consent?

The SPEAKER. The bill is on the Union Calendar.

Mr. GARRETT of Tennessee. Then will not the gentleman permit this to go over until to-morrow so we can discuss it somewhat? Will not the gentleman prefer his request at that time?

Mr. GARNER of Texas. Mr. Speaker, I want to call attention to this habit of asking unanimous consent to take up bills and agree to Senate amendments. In this way the Senate amendment is carried by unanimous consent so far as the RECORD is concerned, and it seems to me this is a bad practice. We ought to ask unanimous consent to consider the bill and then move the adoption of the amendment, so the RECORD will show that the matter was adopted in that way.

Mr. GARRETT of Tennessee. Mr. Speaker, I wish to say to my colleague, the gentleman from Texas [Mr. GARNER], in this particular instance I think it would be wise to agree to the Senate amendment, but I would be glad if the gentleman would let the matter go over until to-morrow, if that is agreeable.

Mr. PARKER. That is agreeable. I withdraw the request, Mr. Speaker, and will renew it to-morrow.

## THE CHINESE SITUATION

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, in this time I ask that an editorial from the Baltimore Sun, which I send to the desk, may be read.

The SPEAKER. Without objection, the Clerk will read the editorial referred to.

There was no objection.

The Clerk read as follows:

## WHERE CHINA IS UNITED

Antiforeign demonstrations, in both cases directed against missionaries and involving Americans, are reported from Foochow and Swatow, on the southern coast of China. It is noteworthy and very fortunate that in neither case has loss of life resulted. None the less, the incidents are symptomatic of a rapidly crystallizing hostility to occidental domination, whether in the spiritual or material field.

Although the missionaries as a class have done great good in China, and although many of the more intelligent type have long been in the fore in urging voluntary relinquishment of one-sided foreign privilege, it is not unnatural that antagonism to them should flame out here and there on seemingly slight excuse. The anti-Christian union in China is not potent as an organized movement. On the other hand, the feeling is strong and growing that Christian spokesmen have practiced a tacit deception by urging doctrines upon the natives which the foreign powers, in writing treaties and grabbing concessions, are quite content to ignore. "Go back and preach your Christianity at home" is a retort with which the proselytizing missionary in China is becoming very familiar.

As the situation in China becomes daily more tense it becomes vital to realize that the growing assertiveness of the people of that great country will not be stopped by use of force. Welcome or not, we must face the fact that real antipathy toward aspects of our western civilization is present. With a complacency which due reflection will show unwarranted we have told the Chinese that they must adopt our political, legal, industrial, education, and religious methods. The simple fact is that only as long as the Chinese were "backward" in military science could we get away with the assumption of superiority everywhere else along the line.

Now that China has 2,000,000 men under arms and arsenals able to turn out hundreds of machine guns and dozens of field pieces every week, western civilization is no longer dominant. The Chinese are in a position to take what they want and reject what they do not want of our philosophy of life. They may even decide to run their country without a constitution written by western lawyers, and what we can do to prevent such a dénouement is not clear. It is not conclusive to call this Bolshevism even though Soviet Russia does encourage the Chinese rising.

Much deeper than Bolshevik influence, however, is the sturdy Chinese belief that they have a civilization and a philosophy of life which is well worth protection against that of the west. It is this feeling—and only the very bold or very ignorant will call it unjustifiable—which makes disorders caused by civil war a secondary matter, for all the stress we give them as excuse for not rewriting treaties which are palpably unjust.

Peking has now followed Canton in announcing that the higher tariff duties recommended by the Washington conference will be levied as of February 1, regardless of foreign approval or disapproval. And one of Chang Tso-lin's generals, fighting against the nationalist movement states that he will support the Cantonese if the British use force to regain command of their Hankow concession. These are symptoms that it is much more vital to consider underlying unities in formulating our policy toward China than to emphasize, as heretofore, the surface dissensions which give us a specious alibi for doing nothing toward establishment of healthy relations.

Mr. LINTHICUM. Mr. Speaker, there has been introduced in the House a resolution by the gentleman from Pennsylvania [Mr. PORTER] known as House Concurrent Resolution 45, which, after many preambles, reads as follows:

*Resolved by the House of Representatives (the Senate concurring)* That the President of the United States be, and he hereby is, respectfully requested forthwith to enter into negotiations with the duly accredited agents of the Government of China, authorized to speak for the entire people of China, with a view to the negotiation and the drafting of a treaty or of treaties between the United States of America and the Republic of China which shall take the place of the treaties now in force between the two countries, which provide for the exercise in China of American extraterritorial or jurisdictional rights or limit her full autonomy with reference to the levying of customs dues or other taxes, or of such other treaty provisions as may be found to be unequal or nonreciprocal in character, to the end that henceforth the treaty relations between the two countries shall be upon a wholly equal and reciprocal basis and will be such as will



in no way offend the sovereign dignity of either of the parties or place obstacles in the way of realization by either of them of their several national aspirations or the maintenance by them of their several legitimate domestic policies.

The object of this resolution, as set forth, is that this Government denounce all former treaties with the Republic of China and enter into new relations with that country. The situation as to the State Department is such that by the Washington conference we are tied up with other nations and the State Department naturally feels it must act concurrently with those nations, the result being that nothing is done to alleviate the increasing hostility of the Chinese people.

The resolution, however, as I have said, has for its purpose to request the President to act independently, if necessary, in these Chinese affairs; to enter into negotiations with only accredited agents of the Government of China who are authorized to speak for the entire people.

China is quickly changing in almost every aspect, and there is one thing upon which all the people are united, and that is that they shall abrogate or denounce all treaties giving extraterritoriality or jurisdictional rights, giving concessions to certain nations and treaties which allow other nations to fix their import duties and regulate their customs through foreign agents, to the immense expense to China.

I am calling the attention of the House to this matter, because it seems to me we should act as quickly as it is possible to do so. We have the friendship of the Chinese nation through previous years of friendly legislation, through the remittance of the Boxer indemnity and the use of that fund in the education of Chinese students, establishment of libraries and educational institutions. Belgium has given up all rights which she had in China as to extraterritoriality and concessions. Russia has done likewise. England has had to give up Hankow, and rapidly other concessions will be taken over by China. The great question with us is, Shall we wait until we are compelled to give up these rights which we have under these treaties, or shall we deal with China at this time just as we deal with all other civilized nations?

China, with her vast resources, her 400,000,000 population, with her vast number of soldiers, some 2,000,000, with 10,000 years of civilization, is knocking at the doors of the nations of this world and asking that she be treated as all other great civilized nations of the earth have been treated, and I want to voice my sentiments in favor of denouncing the present treaties which we have giving us rights which we do not enjoy with the other great nations of the world and to say that, in my opinion, the time has arrived when, without compulsion, we should treat China and deal with her with respect to treaties just as we deal with France and England and Japan, as well as all the other great nations of the world. I do not want to see our country wait until we are absolutely compelled by the forces of China, by the uprising of the people, to give up these rights. I want to see our country do this in the same friendly spirit that she gave up the Boxer indemnity.

Mr. DENISON rose.

Mr. LINTHICUM. Does the gentleman from Illinois desire to ask a question?

Mr. DENISON. Yes; I would like to ask the gentleman from Maryland a question in regard to his proposed action. Our relations with China, particularly with reference to what the gentleman is speaking about, it seems to me to be a matter primarily to be handled by the State Department, especially as regards a treaty which would have to be made by the State Department and the President with the consent and approval of the Senate. Why should the House of Representatives be taking up matters of this kind when we are busy with other matters, and try in this way to dictate our foreign policy?

Mr. LINTHICUM. I do not think there is anything before the people of this country of any greater importance than the Chinese question to-day. Not even the Nicaraguan question or the Mexican question is of any greater importance than this Chinese question, and while the President, through the State Department, has the right to handle these matters, it is not beyond the power of Congress to express to the President, the State Department, and to the world how it feels in reference to our relations with China and with other nations.

Mr. DENISON. Does the gentleman think that the House of Representatives ought to take the initiative in handling foreign policies?

Mr. LINTHICUM. I think if the State Department does not take the initiative Congress ought to ask it to do so. [Applause.] I am very much in accord with the views of my good friend and fellow Baltimorean, Dr. John H. Latane, professor of American history and lecturer on international law at the Johns Hopkins University, expressed in the following letter:

THE JOHNS HOPKINS UNIVERSITY,  
DEPARTMENT OF HISTORY,  
Baltimore, Md., January 7, 1927.

Hon. J. CHARLES LINTHICUM,

House of Representatives, Washington, D. C.

MY DEAR MR. LINTHICUM: I have read very carefully the text of the joint resolution on the subject of our policy toward China presented a few days ago by Mr. PORTER, chairman of the Foreign Affairs Committee, of which, I believe, you are the senior Democratic member. Affairs in China are reaching a crisis very rapidly, and the present administration of this Government does not seem disposed to adopt any definite policy. I do not believe that President Coolidge will do anything unless his hand is forced. I think it would be advisable, therefore, to report this resolution out of the committee as speedily as possible and have the matter threshed out on the floor of the House and in the Senate. With the preamble and general purpose of the resolution I am in thorough accord. The part of the resolution urging the President to adopt an independent course in Chinese matters will doubtless raise some doubts in the minds of many of those who are deeply interested in the situation in the Far East. The Washington conference definitely adopted a policy of cooperation in Pacific and Far Eastern questions, and I regard such a policy as highly desirable. Unfortunately the powers which participated in the Washington conference have not carried out in good faith the pledges made to China, and there seems to be no likelihood of their doing so any time soon. Which powers are at fault in this matter is a question into which I have not had time to go, and one on which there may be differences of opinion. In case Congress should adopt Mr. PORTER's resolution, the administration could then say frankly to the powers that signed the Washington treaties: We are ready to cooperate in carrying out the treaties, but unless you are willing to act, and act promptly, we shall be compelled to adopt an independent course. This might get some action, and if it did not the United States would be fully justified in going ahead and negotiating a new set of treaties with China. If this were done, I feel certain that the other powers would in a very short time have to follow suit.

I am very anxious to see this resolution reported out of the committee and therefore ask you, as the senior Democratic member, to cooperate in the matter.

With cordial regards, I am,

Yours very sincerely,

JOHN H. LATANE.

The United States Government has treaties with the Republic of China which the Chinese people maintain denies to their Government the right to fix its tariff policies in regard to its revenue necessities and in disregard to its economic and industrial life. They maintain that these treaties prevent them from exercising through their courts and laws control over persons and properties in territories over which other nations enjoy sovereignty, and are thereby deprived of those equal rights which other members of the family of nations enjoy, which is unfair and unjust to the Chinese.

The United States has always been known as the friend of China and has always taken the lead in movements to secure justice for that country. It remitted in 1908 that portion of the Boxer indemnities in excess of actual damages, and in 1924 it fell to my happy lot to advocate the remittance of the balance of that indemnity, a large part of which has gone to the extension of the library system in that country.

I contend that the friendship of the Chinese people is more valuable to us than any extraterritoriality or jurisdictional rights we now have. The fact that China can be relied upon to render justice and protection to the nationals of other countries is demonstrated through the fair treatment to missionaries and other people living in China outside the extraterritoriality or concessions of foreign countries. [Applause.]

I should like to see the great powers, through the Washington conference, take action in regard to the liberation of China from its present treaties, and the promulgation of other treaties giving to her the advantages and freedom enjoyed by the other great nations of the world. I do not believe that this concerted action will take place, if at all, in the near future, and I think that delay is inimical to the interests and good feeling of America and Americans in China. The United States has heretofore acted independently in regard to Chinese affairs. I believe, if we desire to enjoy those friendly relations with that great people who, as a compliment to us and our Government, have established the great Republic of China, similar to the Government of the United States, we must act in the premises or it will be too late to bring it about by peaceful action, as China will have obtained all she demands through her soldiers in the great revolution which is now taking place and which will eventually bring about a consolidated China under a single government.

The longer we delay the more we force China to become a militaristic country which may some day rise up to plague us in the Far East. [Applause.]

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. WAINWRIGHT. Mr. Speaker, in view of the grave situation in China, to which our attention has been called by the gentleman from Maryland [Mr. LINTHICUM], I think we should pause for a moment and realize what the real situation in China, with reference to American citizens and American property, is at this time, before we give much attention to any change in our fundamental policy. The fundamental question just at this moment involves the protection of the lives and property of American citizens in China, and to the consideration of that question, it seems to me, we might well pause and reflect and inform ourselves not only as to the extent of those interests but as to measures contemplated for the protection of our people in China; and consider well how we may be embarrassed by separating ourselves from the other powers. The real question should be, Can we afford at this time to do anything which may preclude us from concerted action with other powers for the protection of lives and property of all?

Last week I requested at the State Department to be furnished with information as to the number of American citizens now in China, where they are located, and the extent of American investments and property interests in that country. The information supplied to me should be of great interest to this House and to the country just at this time, and I shall ask to have it inserted in the RECORD.

Mr. LINTHICUM. Will the gentleman yield?

Mr. WAINWRIGHT. I can not yield; I have only five minutes. According to this information, there are 12,000 American citizens—men, women, and children—in China at the present time, of whom 1,500 are men missionaries, 2,500 women missionaries, and 2,100 children of missionaries.

In Shanghai alone there are 4,000 persons, constituting more than half of the business community in Shanghai. There are 600 American firms doing business in China, and half of this number are at Shanghai, with large numbers at Tientsin, Hankow, Hongkong, and Canton. There is a total investment of property amounting to more than \$69,300,000 in China, of which \$30,000,000 represent the value of land, buildings, and the like; and this, mind you, is exclusive of American missionary and philanthropic holdings, the total American investments in China being placed at at least \$150,000,000. And we must add to this, of course, the value of the household effects and personal belongings of Americans in China.

Now, Mr. Speaker and gentlemen of the House, it seems to me that we should pause before we put ourselves in a position from which we may have to recede and which may prove very awkward for us in the solution of a plan to protect American lives and property in China. It seems to me we should be more concerned just now as to how our Government shall fulfill its plain, its sacred, duty to its own citizens than as to whether we shall change our general policy hitherto in dealing with China and play a lone hand and keep away from any concert with the other powers.

Mr. BLACK of New York. Will the gentleman yield?

Mr. WAINWRIGHT. Yes.

Mr. BLACK of New York. Does the Secretary of State say that any American has lost his life in China?

Mr. WAINWRIGHT. It makes no difference. The duty of the Government is to protect them, their lives, and the rights they have acquired in China under the assumption that our Government was to protect them. It does not seem to me that we should wait until some one is killed when we see the conditions that exist in Hankow and which may be precipitated any moment in Shanghai. At any moment there may be an attack and a situation precipitated in Shanghai similar to that prevailing in Hankow. It seems to me that we should announce whether we are prepared to stand by the men, women, and children and their property rights and let them feel that they have the full power of the Government behind them, and not go off on the academic propositions involved in some of the discussion at the present time. It seems to me that to-day is a most inappropriate time to consider depriving ourselves of the benefits of association with other powers for the protection of the lives of our citizens. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks by incorporating therein the information I have referred to.

The SPEAKER. Is there objection?

There was no objection.

The matter referred to is as follows:

#### AMERICAN INTERESTS IN CHINA

##### POPULATION (CHINA AND HONGKONG)

The total number of American citizens (men, women, and children) in China is approximately 12,000. This population is distributed among the different occupations, as follows:

Missionaries:	
Men	1,500
Women	2,500
Children	2,100
In business:	
Men	1,200
Women	700
Children	600
In professional work:	
Men	200
Women	200
Children	180
In United States Government service, including Army officers:	
Men	175
Women	100
Children	90
In Chinese Government service:	
Men	100
Women and children	125
Occupations not specified	400
American citizens of Chinese race (mostly at Canton and Hongkong)	1,200

The chief center of American population is Shanghai, where there are about 4,000 persons, more than half of whom are in the business community. There are 2,000 Americans in the Tientsin consular district, 1,300 in that of Hankow, 1,000 in that of Nanking, 800 in that of Canton (exclusive of American citizens of Chinese race), 500 at Hongkong. Other centers of American population include Foochow, Tsinan, Changsha, Chungking, etc.

During the past 20 years the American population has increased approximately threefold.

The American population in China is exceeded only by the Japanese (198,000), Russian (85,000), and British (14,700). The bulk of the Japanese and Russian population is in Manchuria.

##### NUMBER OF FIRMS

There are about 600 American firms in China. Half of this number are in Shanghai. The next most important centers for American business are Tientsin, Hankow, Hongkong, and Canton.

##### AMERICAN SHARE IN THE TRADE OF CHINA

China's total foreign trade (sum of imports and exports) is about \$1,300,000,000, 55 per cent of which represent imports. During the past 20 years China's trade has increased threefold, while during the same period the share of the United States in the trade of the country has increased fourfold, being, in 1924, 20 per cent of China's imports and 14 per cent of her exports.

The share of the leading nations in China's trade in 1924 was approximately as follows:

	Imports into China	Exports from China
	Per cent	Per cent
Japan	26.5	31
Great Britain and Dominions	22.5	12
United States	20.5	14
All other foreign countries	27	28
China's interport trade through Hongkong	3.5	14

The leading American exports to China are kerosene and other petroleum products, cigarettes and tobacco, flour, wheat, metals and minerals, machinery, dyes, colors and paints, raw cotton, timber, tin-foil, paper, motor cars, electrical equipment, canned fruits and vegetables, and condensed milk.

China is an important source of the following raw materials: Raw silk, vegetable oil, wool, hides, skins, furs, bristles, egg and egg products, all of which enter into the trade from China to the United States.

##### AMERICAN SHIPPING AND OTHER INTERESTS

American trans-Pacific shipping companies lead those of other nations in the carrying trade between the Pacific ports of Canada and the United States and Shanghai, the American share in 1924 being 47 per cent, that of Great Britain 29.5 per cent, and that of Japan 19.5 per cent.

Other American interests represented in China include banks, insurance companies, and professional firms.

##### EXTENT OF AMERICAN INVESTMENTS IN CHINA

An estimate of the value of American investments of a commercial character in China is contained in a publication now in the press



entitled "Currency, banking, and finance in China," by Dr. Frederic E. Lee, special agent of the Department of Commerce. It will be noted that the figure arrived at by Doctor Lee as the total value of American investments of a commercial character in China is \$69,300,000. In reaching this total it is believed that he has underestimated the value of lands, buildings, etc., which he places at \$30,000,000.

Doctor Lee has made no attempt to estimate the value of the investments of American missionary and other philanthropic organizations in China. It is believed that the value of such holdings may well be equal to those of a commercial character. It is thought that it would be safe to set the total American investment (including investments both of a commercial and philanthropic character) at at least \$150,000,000. I am inclined to think that it is considerably in excess of that figure.

An extract from Doctor Lee's publication is attached:

[Extract from Currency, Banking, and Finance in China, by Frederic E. Lee]

#### NATURE AND EXTENT OF AMERICAN INVESTMENTS IN CHINA

It is virtually impossible to make anything like a wholly comprehensive and reasonably accurate estimate of the investments of any nationality in China. British authorities have estimated Japan's investments in China at from 300,000,000 to 500,000,000 yen. "Nishihara loans" to China alone amount to 200,000,000 yen. British investments in that country would doubtless be many times greater than the Japanese.

American investments in China of a commercial character—that is, excluding all such investments as those of the Rockefeller Foundation and the properties of mission schools, colleges, hospitals, and stations—would fall under four classes: (1) Bonds and securities of the Chinese Government; (2) investments in railway and other industrial concessions or enterprises; (3) long-term credits to the Chinese Government agencies or ministries; and (4) investments in lands, buildings, and equipment of American merchandising firms operating in China.

The bonds of the Chinese Government held by citizens of the United States, exclusive of railway bonds, are roughly estimated as follows:

Chicago bank loan	\$5,500,000
Pacific Development Co. loan	5,500,000
Chinese Government reorganization loan:	
Russian series	2,500,000
Paris and London series	250,000
Chinese Imperial Government loan; Franco-Russian, 1895,	
10,000,000 francs, par value	2,000,000
Other issues (estimated)	4,250,000
<b>Total (class 1)</b>	<b>20,000,000</b>

The only issue of railway bonds of the Chinese Government in which Americans have a direct interest is the American portion of the Hukuang Railway bonds, amounting to \$1,500,000, or roughly, \$7,000,000 gold. While undoubtedly quite a few of the American issue of the Hukuang bonds are held elsewhere, it is known that a great many Hukuang bonds of the British, French, and German series are held in the United States.

Advances on other railway and communications' concessions in which Americans are interested probably total about \$2,300,000 gold:

Hukuang bonds	\$7,000,000
Concession advances	2,300,000
<b>Total (class 2)</b>	<b>9,300,000</b>

Long-term credits by American companies to the Chinese Government railways and other communications' enterprises, which partake of the nature of unsecured or poorly secured loans, total some \$10,000,000 gold.

The investment of American firms operating in China in lands, buildings, and other equipment, other than stocks on hand, is extremely difficult to estimate. The known investments under this category of the larger firms amount to \$20,000,000 gold. A conservative estimate of the total of such holdings would therefore be around \$30,000,000 gold.

A summary of these four classes of American investments gives the following grand total:

Class 1. Bonds and other Government securities	\$20,000,000
Class 2. Railway bonds and other concession advances	9,300,000
Class 3. Long-term credits by American concerns	10,000,000
Class 4. Investments in lands, buildings, etc.	30,000,000
<b>Estimated total of American investments in China</b>	<b>69,300,000</b>
<i>American claims against the Chinese Government overdue June 30, 1925</i>	
Ministry of Communications railway material debts	\$8,207,436
Other debts	1,250,000
	<b>9,457,436</b>
Ministry of Finance overdue loans and advances	17,985,514
Sundry claims	750,000
Material debts	1,477,216
	<b>20,212,730</b>
<b>Total</b>	<b>29,670,166</b>

#### WAR DEPARTMENT APPROPRIATION BILL

Mr. BARBOUR. Mr. Speaker, I move the House resolve itself into Committee of the Whole House on the state of the

Union for the further consideration of the bill (H. R. 16249) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

Mr. BARBOUR. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Chairman, I am a firm believer in the restriction of immigration by numerical limitation. I did my part in assisting in passing the 1921 and 1924 immigration restriction acts. A continuance of this legislation is necessary to the preservation of our country. It is with this in mind that I now speak and call attention to changes in the various quotas that may go into effect on July 1, 1927, by reason of the national origins provisions of the immigration act of 1924. There is much criticism of these provisions coming from friends of numerical restriction, and it would therefore seem pertinent to trace the legislative origin of these so-called national origins provisions of the immigration act of 1924.

Before the World War we had immigration restriction laws but no numerical restriction. The year before the World War broke out nearly 1,000,000 immigrants entered this country. The World War acted as a bar for several years. During the fiscal year ending June 30, 1920, however, they had commenced to come in again and 430,000 came in that year. The following fiscal year 800,000 came in. Emergency legislation was needed. There is no question but what 2,000,000 would have entered the following fiscal year.

Therefore in 1921 Congress passed the first numerical restriction act. Immigration was restricted to 3 per cent of the number of foreign-born persons of a given nationality resident in the United States as determined by the census of 1910. The maximum from all countries was 309,556. To illustrate: If there were residing in America 100,000 persons born in Germany, 3 per cent of that number, or 3,000 immigrants from Germany could be admitted in a given year.

The 1921 act was an emergency measure. It was hastily drawn and considered. After it had been in operation a short time it was found fairly easy of violation, both in letter and in spirit. Amendments were necessary. The Committee on Immigration in the House, with commendable zeal, went to work to strengthen the law. As a result, in the spring of 1924 they reported out a bill which strengthened our immigration laws immeasurably and further restricted immigration. The percentage from a given country entitled to enter in a given year was changed from 3 to 2 per cent. The maximum that could come in if every country used up its quota was changed from 309,000, as fixed in the act of 1921, to 161,990. Last but not least the basis for determining this number and the quotas from each country was changed from the census of 1910 to the census of 1890. The percentage was changed in order to cut down the number coming into this country in a given year. The census was changed from 1910 to 1890 in order to increase the number coming from the countries of northern and western Europe. The people from these countries had furnished the bulk of the immigration in the first 100 years of our history, and it was felt to be in the best interests of our country and but fair that a basis should be used that was more representative of the immigration coming into our country throughout the general period of our history. The 1890 census appeared to be the census which was most representative in this respect.

Several attempts were made on the floor of the House to amend this provision. As I recall it, the census of 1920 was offered as a substitute. This was likewise true of the census of 1910. They were voted down. In addition to these there was offered as an amendment to the 1890 census provision by the gentleman from Massachusetts, Mr. Rogers, the so-called national-origins provisions. I quote from his amendment as follows:

After July 1, 1926, the annual quota of each nationality shall bear the same ratio to said maximum total number of immigrants as the number of inhabitants of the United States having that national origin shall bear to the whole number of inhabitants (according to the census of 1920), other than the descendants of involuntary immigrants. On or before April 1, 1926, said officials shall jointly proclaim and make known the quotas of each nationality, determined as aforesaid, and thereafter the said quotas shall continue with the same effect as if specifically stated herein, and shall be subject to correction and readjustment only if it shall be made to appear to the satisfaction of said officials that an error of fact has occurred in said estimate or in said proclamation.

The debate will be found on pages 6226-6229 of the CONGRESSIONAL RECORD, Sixty-eighth Congress, first session.

The gentleman from Massachusetts explained the effect of his amendment, and to illustrate changes in the quota from the 1890 census to the national-origins provisions he referred the House to a table presented by Senator REED of Pennsylvania, who was sponsoring a similar national-origins provision in the Senate. As set forth in the tables submitted, quotas from the following north European countries would have been cut as follows:

Countries	2 per cent of 1890 census	National origins under the 150,000 limit
Denmark.....	2,782	1,062
Norway.....	6,453	2,433
Sweden.....	9,561	3,707

Furthermore, the same tables estimated increases in people from countries in southern and eastern Europe. As the people from these countries came over much later in our history than did those from northern Europe, it was difficult to rely on the accuracy of the scheme of ascertaining the national origins of the people residing here. In other words, the tables gave evidence on their face of being inaccurate.

The House, therefore, knew something of the probable results of the adoption of the national-origins provisions. In addition, it was perfectly apparent that there were not available and would not be available to any agency, government, or otherwise the necessary reliable information in order to intelligently find the national origins of the people of the United States. As I recall it, it was characterized by the distinguished chairman of the Committee on Immigration as highly theoretical and wholly impractical and that it could only be done by the wildest kind of guesswork. The House voted the national-origins provisions down by a vote that was so substantial that the very able proponent of the provision did not even ask for a division. It was decisive.

The bill then passed the House with the provisions of the 1890 census as a basis for numerical restriction. This would have resulted in the above-mentioned larger quotas from the countries from northern Europe instead of the much smaller quotas set forth in the national-origins provisions, and it would have prevented increases from Russia and other countries from eastern and southern Europe. Of course, the tables on national origins were only estimates of what the experts would probably arrive at.

The bill then went over to the Senate. The Senator from Pennsylvania offered a national-origins provisions amendment to the bill which had been reported out of committee in the Senate. The Senate rejected the 1890 census provision for the provisions of the national origins. There was this direct conflict, therefore, between House and Senate provisions. The bill was sent to conference and finally, in order to get some sort of restrictive legislation through, the House finally concurred in the report of the conferees who had accepted the national-origins provisions but with an amendment so that they read as they do in the law to-day. I quote from paragraphs (c) and (e) of section 11 of the 1924 Immigration act.

(c) For the purpose of subdivision (b) national origin shall be ascertained by determining as nearly as may be in respect of each geographical area which under section 12 is to be treated as a separate country (except the geographical areas specified in subdivision (c) of section 4); the number of inhabitants in continental United States in 1920 whose origin by birth or ancestry is attributable to such geographical area. Such determination shall not be made by tracing the ancestors or descendants of particular individuals, but shall be based upon statistics of immigration and emigration, together with rates of increase of population as shown by successive decennial United States censuses and such other data as may be found to be reliable.

(e) The determination provided for in subdivision (c) of this section shall be made by the Secretary of State, the Secretary of Commerce, and the Secretary of Labor jointly. In making such determination such officials may call for information and expert assistance from the Bureau of the Census. Such officials shall jointly report to the President the quota of each nationality, determined as provided in subdivision (b), and the President shall proclaim and make known the quotas so reported. Such proclamation shall be made on or before April 1, 1927. If the proclamation is not made on or before such date, quotas proclaimed therein shall not be in effect for any fiscal year beginning before the expiration of 90 days after the date of the proclamation. After the making of a proclamation under this subdivision the quotas proclaimed therein shall continue with the same effect as if specifically stated herein, and shall be final and conclusive for every purpose except (1) in so far as it is made to appear to the satisfaction of such officials and proclaimed by the President that an error of fact has occurred in

such determination or in such proclamation, or (2) in the case provided for in subdivision (c) of section 12. If for any reason quotas proclaimed under this subdivision are not in effect for any fiscal year, quotas for such year shall be determined under subdivision (a) of this section.

How were the national origins of our people to be ascertained? By ascertaining the number of inhabitants in our country in 1920 whose origin by birth or ancestry was "attributable" to some foreign country. Few statistics are available covering the early period of our history. Multiples as to increases—more or less arbitrary—would have to be used. Therefore, in the nature of things, accuracy could not be required. The commission of experts under the supervision of the Secretaries of State, Commerce, and Labor were instructed in the law to find only "as nearly as may be."

Theoretically, the idea appeared fair. But if it is looked at in a practical way it is apparent to all that much will have to be left to surmise and conjecture. The commission was to have from 1924 to April 1, 1927, in order to make their study, investigation, and report. If they were unable to reach an agreement and to report by April 1, 1927, the whole proposition was to go over for another year. In the interim the provisions of the 1890 census were to continue to govern.

The report has just been made, and materially decreases the quotas from the countries of northern Europe. It makes increases in the quotas from some of the other countries, and included among these latter are countries from southern and eastern Europe, including Russia. I am appending a table to my remarks showing the quotas under the 1890 census, the original estimates on national origins as given in 1924, and the quotas as just found and established by the commission under the national-origins provisions. I now quote as to the decreases in these northern countries, as follows:

Countries	1890 Census	National origins 1927 report
Denmark.....	2,789	1,044
Norway.....	6,453	2,267
Sweden.....	9,561	3,259

The increases in the quotas from eastern and southern Europe and the decreases from northern Europe prove the inaccuracy of the report, for everyone knows that in large measure people from southern and eastern Europe have migrated here since 1890, while the bulk of the tremendous influx from northern Europe came in here prior to 1890. The result only shows what can be done by statisticians when they use a multiple upon figures that are not obtained from any reliable source.

This also is perfectly apparent: That that which was fixed and certain, by the use of the 1890 census, was made uncertain and open to speculation and conjecture by the substitution of the national origins provisions.

The origin, therefore, of this legislation, which, if it is put into effect, would materially cut down immigration from northern Europe, was not in the House of Representatives, because we defeated it here after it had been thoroughly debated and considered. The defeat was so decisive that the very able and effective sponsor of the idea in the House, the gentleman from Massachusetts [Mr. ROGERS], did not even demand a division. The origin, then, of this legislation was over at the other end of the Capitol. The House was compelled to accept the provisions in order to have any restrictive immigration legislation. For that reason, and for that reason only, the House concurred in the report of the conferees.

Mr. Chairman, I am not criticizing the commission who were charged by Congress with this very difficult task. We placed upon them not only a difficult but an almost impossible task. It was impossible if it was to be done accurately. They have probably done as well as they could in the time allotted and with the information available. This morning they have been explaining to the Committee on Immigration in the House just how they proceeded to do the work. Possibly the experts will be able to understand. I doubt whether anyone else will. Everyone could understand the terms and provisions of the 1890 census. There could be no disputes about those figures.

The policy of numerical restriction should continue, but the basis should be the certain and representative provisions of the 1890 census, and not the theoretical and impractical basis of the national origins provisions. Surely we should not follow a policy of decreasing the quotas from these northern European countries, which have furnished a splendid type of people, who readily become citizens and who have contributed so much to the development of our country and especially the upper Mis-



Mississippi Valley. I certainly hope that the Committee on Immigration, which is conducting hearings on this question at the present time, will report favorably the bill repealing the national origins provisions and providing for a return to the original House provisions of a numerical restriction based upon the 1890 census. [Applause.]

Under leave to extend my remarks I am appending a table prepared by the commission and giving the quotas as to all countries, as follows:

*Provisional immigration quotas based on national origin as provided by the immigration act of 1924; also present immigration quotas as based on 1890 foreign-born population; and estimated quotas on national origin basis as submitted to Congress when the act of 1924 was under consideration.*

Country of origin	Provisional quotas on basis of national origin	Present quotas based on 1890 foreign-born population	Estimated quotas on national origin basis as submitted to Congress in 1924
Total.....	153,541	164,667	150,000
Afghanistan.....	100	100	100
Albania.....	100	100	100
Andorra.....	100	100	100
Arabian peninsula.....	100	100	100
Armenia.....	100	124	100
Australia, etc.....	100	121	100
Austria.....	1,486	785	2,171
Belgium.....	410	512	251
Bhutan.....	100	100	100
Bulgaria.....	100	100	100
Cameroon (British).....	100	100	100
Cameroon (French).....	100	100	100
China.....	100	100	100
Czechoslovakia.....	2,248	3,073	1,359
Danzig.....	122	228	100
Denmark.....	1,044	2,789	945
Egypt.....	100	100	100
Estonia.....	109	124	325
Ethiopia (Abyssinia).....	100	100	100
Finland.....	559	471	517
France.....	3,837	3,954	1,772
Germany.....	23,428	51,227	20,028
Great Britain and Northern Ireland.....	73,039	34,007	85,135
Greece.....	367	100	384
Hungary.....	967	473	1,521
Iceland.....	100	100	100
India.....	100	100	100
Iraq (Mesopotamia).....	100	100	100
Irish Free State.....	13,862	28,567	8,330
Italy, etc.....	6,091	3,845	5,714
Japan.....	100	100	100
Latvia.....	184	142	384
Liberia.....	100	100	100
Liechtenstein.....	100	100	100
Lithuania.....	494	344	458
Luxembourg.....	100	100	100
Monaco.....	100	100	100
Morocco.....	100	100	100
Muscat (Oman).....	100	100	100
Nauru.....	100	100	100
Nepal.....	100	100	100
Netherlands.....	2,421	1,648	2,762
New Zealand, etc.....	100	100	100
Norway.....	2,267	6,453	2,053
New Guinea, etc.....	100	100	100
Palestine.....	100	100	100
Persia.....	100	100	100
Poland.....	4,978	5,982	4,535
Portugal.....	290	503	236
Ruanda and Urundi.....	100	100	100
Rumania.....	516	603	222
Russia.....	4,781	2,248	4,002
Samoa, western.....	100	100	100
San Marino.....	100	100	100
Siam.....	100	100	100
South Africa, Union of.....	100	100	100
South West Africa.....	100	100	100
Spain.....	674	131	148
Sweden.....	3,259	2,561	3,072
Switzerland.....	1,198	2,081	783
Syria and the Lebanon.....	100	100	100
Tanganyika.....	100	100	100
Togoland (British).....	100	100	100
Togoland (French).....	100	100	100
Turkey.....	233	100	100
Yap, etc.....	100	100	100
Yugoslavia.....	777	671	591

<sup>1</sup> Includes Fiume (100) and Hejaz (100).

Mr. HARRISON. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. McSWAIN].

Mr. McSWAIN. Mr. Chairman and gentlemen of the Committee, I am using this opportunity to speak of something in advance of consideration upon the so-called farm relief bills. I think this session will see, and should see, some legislation, and I trust that it may take the course of controlling in some way the surplus which the farmers themselves could not directly control. They can neither control surpluses nor de-

ficiencies. Whether it takes the form of the Haugen bill or the Crisp bill or the Aswell bill, or any other, there is one thought that I respectfully submit should be engrafted on to any one of those bill which the House determines to adopt. Whether the bill proposed by any one of these gentlemen will do all that its promoter and author believes and hopes is, of course, a matter to be determined only by experience, but if the operations of these so-called farm-surplus control boards, or whatever they may be called, will do what those of us who are willing to support them believe they will do, then they will affect and influence the price of the commodity thus controlled. If that be so, I submit we should incorporate into the legislation criminal penalties to be imposed upon any person a member of these boards or of these advisory councils or employee of the boards or councils, whether secretaries, clerks, or stenographers, who shall use the confidential information that may come to him or her for the purpose of speculating upon the speculative exchanges dealing in the particular commodity. [Applause.]

Mr. HARE. Mr. Chairman, if the gentleman will permit, I will say to him that the bill that I have introduced contains such a provision.

Mr. McSWAIN. Then I shall clip from the bill of the gentleman, if the bill itself can not get the support of the House, the clause he refers to and support him in a proposition to engraft it on any of these other bills that may receive the consideration of the House.

Mr. CRISP. Will the gentleman yield?

Mr. McSWAIN. I will.

Mr. CRISP. I desire to say to the gentleman, I welcome such an amendment to the bill which I introduced.

Mr. McSWAIN. Then, I gladly welcome to the ranks of those who are advocating this measure for the protection of the members of the board the wonderful influence of the gentleman from Georgia on this floor in connection with any proposition that he may seek to foster. [Applause.] Here is the thought, gentlemen, that if we do not want the members of this board to have to face an outraged public opinion for using the information acquired confidentially, and a leak is allowed to come out, the enemies of the project will use it as a hammer by which to wound if not to destroy the whole system itself. I remember a few years ago a leak came out in the Department of Agriculture; we know not how, but it was to the enormous advantage—perhaps to the tune of millions of dollars—to somebody who had this confidential information as to what the crop estimate would be on the next day. That party got into the market. The confederates and coconspirators of this party also got into the market, and there is no telling how many million dollars were taken down. Let that thing happen in regard to this board, as I can well conceive a time when this board has got an immense operation scheduled for a certain day. Nobody else on the outside knows it. But some party on the inside knowing it might go to the operators on the New York Cotton Exchange or the New York Grain Exchange and say, "Here, I will give you a tip; you divide the profits with me. You put up the money. You have a knowledge of how prices are manipulated. I will furnish the information and you divy with me on the profits." I can well imagine if such a thing came out the American people would rise in indignation at the system itself. On the other hand, suppose it should be known confidentially that the operations of the board on a certain day would cease. Nobody may know it except somebody on the inside. Say the board has been dealing in cotton or wheat or corn or in pork, and the board has decided within a fixed time to cease operation. They know it on the inside. I believe the effect of ceasing operations would be to influence the market and perhaps let the market drop and let it drop suddenly. If they do so, why should not some person knowing this fact, without any criminal consequence staring him in the face, get into the market and sell and sell and sell, and when the market drops I am a few million dollars better off. There is nobody in this country who ought to be able to take advantage of the machinery that is set up for the stabilization of the price of commodities that are essential to the well-being of this country.

Mr. LINTHICUM. Will the gentleman yield?

Mr. McSWAIN. I will.

Mr. LINTHICUM. What suggestion has the gentleman to make to prevent this information from getting out?

Mr. McSWAIN. Following the statement of the gentleman from South Carolina [Mr. HARE] in regard to his bill, I would say if we will engraft into any legislation that may be enacted sections 11 and 12 of the bill I have the honor to be author of—modesty has heretofore forbidden me up to this point of the discussion to acknowledge that I, too, am the author of some proposed farm legislation—that will do the work.

Mr. LINTHICUM. And will it cure all of these ills?

Mr. McSWAIN. No; it will not cure, but it will prevent the ills from occurring, or at least put the author behind the bars clothed in stripes, as I respectfully submit. Now, gentlemen, I am earnestly and sincerely advocating safe and sane farm relief legislation.

Mr. BLANTON. Will the gentleman yield?

Mr. McSWAIN. It will.

Mr. BLANTON. Would it not depend largely on what party the wrongdoer belonged to and who was in charge of the administration as to whether or not he would be put behind the bars?

Mr. McSWAIN. I believe in legislating on the assumption that judges will always act blindly as to party and justice, and that they will absolutely ignore the political complexion of the parties before them. I know I may be somewhat of a moss-back on that proposition. I am old-fashioned along that line.

Mr. LINTHICUM. How about the jury singing "Good-by Black Bird" in one case of which we have knowledge?

Mr. McSWAIN. I am not undertaking to discuss anything which has passed over, and only hope we will prevent by some such an amendment to the pending bill the happening of another Teapot Dome scandal.

Mr. BLANTON. Will the gentleman yield?

Mr. McSWAIN. I will.

Mr. BLANTON. The press of the country have stated that the courts have decided that a certain legislative body has the authority to compel the attendance of Mal Daugherty. But in connection with that question up comes information from high authority that the legislative body will not exercise its authority.

Mr. McSWAIN. Well, I have no comment to make upon the information referred to by the gentleman from Texas. It has nothing to do with the suggestion that I am seriously making here and now to this body for the purpose of asking this body to protect from the breath of scandal the personnel of the farm board which shall be erected, as I hope it will, by this body to protect the board and its good name, and to prevent a scandal that would be certain to reek with nauseous consequences in the nostrils of the people of the country. If we neglect, after the notice we have had, after the lessons of history, and fail to safeguard against these enormous financial operations that our agents are engaged in and make it impossible for them to escape the consequences for their criminal misconduct, then I say if we neglect to put in those safeguards we shall be considered particeps criminis in the offense. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. McSWAIN. This is section 11 of my bill, H. R. 16250:

SEC. 11. Any act or word by any member of the advisory councils or of the board, or of any officer, agent, or employee thereof, whereby such person shall seek to obtain financial benefit or advantage, direct or indirect, by reason of the acts, doings, and operations of the board or of the corporations aided by the board, or any effort by any such person to take financial advantage of the knowledge of conditions acquired by reason of such official position, or agency, or employment, or to aid and assist another person so to do, whether by direct participation in the market, or indirectly through another or by speculation of any sort on any exchange, is hereby declared to be unlawful, and any person that shall upon indictment and trial, be found guilty, will be sentenced to imprisonment not exceeding 10 years, or to pay a fine not exceeding \$100,000 or both, at the discretion of the court.

Mr. Chairman, to some people the subject of farm relief seems threadbare. Many think that all that can be said on the subject has already been said many times. With this view I do not agree. The subject has not been exhausted and perhaps will never be exhausted in the lifetime of this generation. The problem of agriculture is the fundamental and foremost and final problem of civilization itself. To repeat the truism that what men must eat and wear must be produced from the soil may seem trite, but millions there are in the crowded cities and centers of activity that never trace mentally the food they eat and the raiment they wear back to their sources upon the farm.

So, far from being exhausted, the more the subject is turned over in my mind, the more aspects of it I see, and the more application to it of those great and enduring principles of economics. Though I was born upon a farm more than 50 years ago, and have been in constant and close touch with farm activities ever since, and though I have observed carefully farm methods all over this country, in Canada, and in parts of Europe, yet the subject constantly grows upon me and I am persuaded to believe that the farm problem is not an isolated one, affecting the farmer and his family only, but it

affects, either directly or indirectly, the manufacturer who buys his raw material from the farmer and the manufacturer who sells to the farmer his finished product.

It also affects the merchant who finds the farmer one of his best customers, and it very vitally affects the banker who finds the farmer one of his greatest sources of profit. It affects all classes of professional people; the preacher and the doctor, the lawyer and the dentist, the newspaper man and the real-estate agent, the carpenter and the plumber, the bricklayer and the painter; and these and all others are vitally affected by either the prosperity or the economic distress of the farmer.

Mr. Chairman, as I read dozens of articles published in the magazines relating to agricultural relief and hear many speeches from my colleagues in Congress upon this vital problem, I am impressed by the fact that practically all of them lead up to the point that stabilization in production and in price is the objective and goal that the farmers must seek. But having reached this point, the writer and speaker usually stops. They neither explain to us what they mean by stabilization, nor give us the method by which to obtain stabilization. They do not discover the particular ill that stabilization will help cure, and they do not divulge the special ways by which stabilization may be reached. Therefore, the purpose of my taking this time and space is to explain to the best of my ability what we mean by stabilization, why we desire stabilization, and how we may secure stabilization.

First of all, what do you mean by "stabilization"? It should be distinctly understood that I for one do not mean "price fixing" by legislation. I recognize the impossibility of prescribing in peace times either a maximum or minimum price for a commodity. It will defy and be defeated by the inexorable and invariable law of supply and demand which operates among the affairs of men with the certainty of invariableness of the law of gravity. But by "stabilization" I do mean the removal and elimination of every possible cause by every human agency, both governmental and voluntary, that is calculated to bring about fluctuations and variations in prices. Now, in a market for agricultural products there is a great temptation to accentuate and aggravate fluctuations in prices, due to fluctuations, either real or imaginary, in the quantity produced. The reason is that only one crop of any particular kind is grown each year, and such crop is usually gathered in a very short period and must supply the demands of the public, both domestic and foreign, for a period of one year. Therefore, there is great activity amongst would-be consumers over the question of procuring at the harvest season a sufficient supply to last for the 12-month period. This leads to estimates, and estimates lead to guesses, and guesses lead to gambling. The only markets in the Nation about which there is gambling are the markets relating to cotton, wheat, corn, cattle, and their several by-products. There is no futures market as to steel products, or as to lumber, or as to manufactured textiles, or as to clothing.

This estimating, guessing, and gambling are stimulated by the fact that the amount of agricultural production of any commodity in any one year depends, not alone upon the acreage planted, nor upon the fertilizer employed, nor upon the skill of cultivation, but depends upon factors beyond human control, such as weather during the growing season, weather during the harvest season, or pests, or plant diseases, or storms. Therefore, during the harvest season, the minds of both the producer and his consumer and of those who speculate and gamble about the volume of his produce and the price thereof, are very much agitated and oftentimes approach the stage of panic. Naturally, those who buy and consume can very easily cooperate, either by a gentleman's agreement, or by express arrangement, whereas those who sell are scattered among the millions of producers scattered over vast areas and are without any joint agency, and without any common means of communication. Therefore, the buyers have all the advantage in the game of "give and take" at the selling season. For this reason, the law of supply and demand is not allowed to function normally, properly, and naturally with regard to farm products. There enter artificial, unnecessary, speculative factors that talk about the law of supply and demand but act according to the law of gambling. Consequently, the fluctuations are excessive, and increased fluctuations incite increased speculation, and increased speculation in turn arouses higher fluctuations, until this vicious circle results in catching the farmer on the lowest point of the curve and buying from him when he is in the "slough of despond." Then the buyer, with better organization and better financing, and wider business experience, holds the product and follows the rise of the curve until it approaches the apex and then unloads to his own great profit. This explains why the ultimate consumers continue to pay higher and ever higher prices for the bread they eat, for the meat they consume, and for the farm prod-



uce they may be able to buy. This widening spread, this deepening chasm between what the farmer receives and what the city resident and the industrial worker must pay, is absorbed by an artificial machinery, commonly described as a "middleman," that cuts like a two-edged sword, drawing blood from the farmer, on the one hand, and from the salaried employees and laborers, on the other hand.

Speculation is a curse to agriculture. Contracts for the future delivery of agricultural commodities are virtually wagers as to what the price of cotton will be at that time. In the United States, upon the so-called legitimate exchanges, among responsible firms, where, upon the face of the contract, specific performance may be compelled in court, there are bought and sold contracts for ten times as many bales of cotton as are produced in any one year. It is, therefore, manifest that even upon these high-class and respectable exchanges, 90 per cent of the contracts are virtually wagers. But, in addition to these, there are countless "bucket-shop" contracts that are admittedly mere wagers. Those entering into such contracts on both sides have no intention whatever of performing. In fact, there is virtually no contract. There is a mere deposit to cover a margin. The laws of most of the cotton-growing States have prohibited bucket shops and bucket-shop practices. But, under the guise of interstate commerce, it is actually carried on, with all the evil and demoralizing consequences of the old days. What Congress ought to do is to write into the law of interstate commerce prohibitions and penalties that would prevent these bucket-shop practices as between the States and enforce the will and law of the several States regarding same. So long as mere speculation, amounting to mere gambling, is practiced so widely and regarded as respectable, fluctuations in the markets under existing conditions will be inevitable. To eliminate fluctuations will eliminate speculation. But to eliminate speculation first will help to eliminate fluctuations. It is a fact that experience demonstrates that the price of spot cotton to-day is most largely influenced by the quotation of futures 90 days and 120 days ahead. Therefore, it is conclusive that futures contracts control spot prices. Therefore the law of supply and demand, except in that it may influence the price of futures, has nothing to do with the price of spots. We should, therefore, by the machinery of law, discourage and, if possible, suppress mere speculation and permit the economic law of supply and demand to function freely and, therefore, to control the prices of spots.

The demand for spot cotton continues through the whole year, and that demand is fairly uniform. The cotton-spinning mills of the world spin just about as many pounds of cotton one month as they do another month. If they vary, it is because of a varying demand for cloth, which demand has been affected by the price of raw cotton, which price has, in turn, been affected by speculation. If, therefore, speculation were eliminated and the price of cloth were reasonably uniform, the cotton mills would consume about the same amount of cotton each month and the demand would, therefore, be constant. The demand being constant, the price should be constant, unless the supply varies.

We are, therefore, at the crux of the farm problem, so far as it affects cotton. Some years there are excessively large yields of cotton, such as the year 1926, and other years there are very low yields of cotton. The farmers of the South have often found that the total sum received for a huge crop is, in the aggregate, less than the amount received for all of the small crop. It is entirely reasonable that, under normal financing, the price per pound for a large crop should be less than the price per pound for a small crop. But cotton is not a perishable commodity. Cotton will last fifty or a hundred years if properly stored, and its value never be impaired. An increasingly large number of people in the world are using cotton. These same people are using cotton for an increasingly large variety of purposes. The demand for cotton is constantly increasing. But when the farmers of our part of the country produce a large supply of that which the world needs and must have, and is perfectly willing to pay for at a price that will represent a reasonable and fair profit to the farmer, the farmer finds that he has been impoverished and sometimes rendered bankrupt by the vastness of the product of his own toil.

Last year, when the Secretary of the Treasury, Mr. Mellon, was bitterly assailing the farm relief bill then under consideration by Congress, he argued, in substance and in fact, if not in these exact words, this principle: "The manufacturing industry varies the supply according to the price, whereas as to farm products, the price varies according to the quantity produced." This is a striking truth and strikingly illustrates how, at the present time, we find industry prosperous, in some respects and in some lines very prosperous, whereas, on the con-

trary, the fundamental industry of farming is in desperate straits, is struggling against death—farm lands, by the millions of acres, being sold under foreclosure of mortgages, thousands of farms being sold for taxes, and the families of the farmers discouraged, disheartened, and hopeless. It is impossible for the farmer to conform to the formula laid down by Mr. Mellon respecting manufacturing. The manufacturer can control to the pound and to the yard his output. Not so the farmer. He can increase his acreage and his fertilizers and his labors, but wind and rain and storm, or the lack thereof, and the presence of pests and plant disease will cut down his fair prospects, and deny him a proper reward for his labor. On the other hand, he may reduce his acreage, eliminate his fertilizers, diversify his crops, and, due to favorable seasons and the absence of pests and disease, he will find bountiful harvests upon his hands.

It would never do to say to the farmer that he must lie down on his job; that he must cease to produce; that he must refrain from his labors; that he must not build up his soil; that he must loaf on his job and live by exacting a fabulous price for a small pittance of production. On the other hand, it will never do to expect the farmer to feed and clothe the world with abundant harvests and not receive an adequate reward. The farming industry differs in every conceivable particular from the manufacturing industry. The farmer does not convert raw materials into products made up in varied and attractive forms. The farmer deals with the fundamental elements of soil and sunshine and shower, and mixing them with skill and toil in the right proportions, conforming to the law of nature and to the law of nature's God, behold the fruit of his labors is something wholly and entirely different from the elements and agencies with which he worked. These factors in farm production have yielded a new creature under the sun. In place of land and water and light there is now the glorious golden grain; there are spreading acres of splendid corn; there are fields glistening with the fleecy staple; there are luscious fruits, sustaining meats, essential vegetables; all these representing, not converted value, not wealth in a new form, but additional, increased, new-born things, constituting wealth of essential value and of indispensable importance to all men. The farmer is the miracle worker. Under God, the farmer is part creator. Of course, the substantial matter has not been increased, but so far as consuming mankind is concerned, useful and nutritious things have been brought into existence.

Therefore two things must be done by the farmer and for the farmer. In these, not alone the farmer, but all legitimate industry, business, and professions are vitally interested. These two things are, first, the crops of the farmers must be sold gradually, supplying the demands of the world month by month, rather than rushed upon the market at sacrifice prices at the time of the harvest; second, what is done by the month must also be applied to a series of years, so that the surplus of a bumper crop may be carried over into the years of the light and lean crop. Not only is the demand for farm produce uniform throughout the months of the year, but it is uniform throughout the succeeding years. The people must wear about the same amount of cotton cloth and use about the same amount of cotton commodities year in and year out. Therefore machinery must be devised to make it humanly possible for the surplus of one year to be held and fed into the deficiencies of another year.

This is what we mean by "stabilization." Under these conditions just recited the demand is practically uniform from month to month and from year to year. We are now seeking to effect, through cooperative marketing and the agency of farm-relief associations, and through a mighty national farm board, with adequate revolving funds, to divert the surplus of any given year and to feed it into the market through succeeding years, so that in this manner the supply may also remain practically uniform. When the demand is uniform and the supply is uniform the price will be uniform. Since the demand will not be absolutely and entirely uniform, and since, even with the machinery sought to be set up by the bill that I have introduced, H. R. 16250, the supply will not be ideally and mathematically uniform, so we may expect there will be slight and inevitable variations in price, but those variations will come about slowly, and there will be no other substantial difference between the minimum price and the maximum price. The curve of price change will be very slight.

It is inevitable that this practically uniform price for cotton will represent a fair and reasonable margin of profit to the thrifty, economical, energetic, efficient farmer. Of course, it is impossible to insure and guarantee to each and every farmer that, irrespective of his farm methods, irrespective of his individual production, irrespective of uneconomical farm administration, that he will make a profit. Not all manufacturers suc-

ceed. A very high percentage of merchants fail. Only those who are frugal, far-seeing, economical, and thrifty succeed to any marked degree.

When this stabilization of demand shall have brought about stabilization in price, then the farmer will know what to count upon. He will know how much he can pay for labor, and compute in advance whether or not there is a reasonable profit for him. If the average price from year to year shall be so low as to drive some farmers out of business, the demand gradually increasing and the supply thereby diminishing, the price will be enhanced and the profit will be insured to those that remain on the farm.

But the great blessings of the stabilization of farm produce will not be enjoyed by the farmer alone, but will be enjoyed by all classes of people. The prosperity of the farmer, no longer being short lived and temporary, but firmly continuing, banks and money-lending concerns can have business dealings with the farmer with greater confidence. When the confidence increases, more liberal terms may be made and cheaper rates of interest expected. Merchants will sell with greater confidence and at lower prices. Fertilizer concerns, being assured of a reasonable profit each year, will no longer charge outrageous prices at all times in order to be able to recoup in good years their enormous losses sustained during bad years.

But the manufacturer of cotton will be benefited to the same degree as the farmer by stabilization in price. The manufacturer can buy cotton with confidence, fill his warehouses full of spot cotton, without expensive hedging on the futures market, when he knows that the price of cotton 6 months and 12 months hence will be practically the same as it is to-day. The price of cotton being fairly constant, the price of cloth will remain fairly constant, so that the margin of profit for the manufacturer can be only increased by more economical production, by more efficient methods, by more improved machinery, by eliminating waste, by turning out a larger number of yards, and a finer quality of goods at a lower cost. Thus, the manufacturer's attention will be really turned to the manufacturer's business. Quality and not mere quantity, efficiency and not mere production, will be the measure and test of the manufacturer's success.

And now the banker comes in for his share of the blessings of stabilization. The banker, above all, is vitally concerned in the continuity and uniformity of conditions. The banker is not, or, at least, should not, be a speculator in any sense, in any way, or in anything. The banker deals in certainties and realities. He is the trustee of the money of the people of the community. He is not only the agent of the stockholders to make dividends for them, but he is the trusted guardian of the cash of the hundreds and thousands of his fellow citizens who lend him their money under the name of "depositors."

A sense of duty and a feeling of pride prompt every banker to desire safety. He can not think of facing disappointed depositors. He dare not contemplate dealing with disappointed stockholders. When conditions shall be stabilized, when the price of land is reasonably uniform, when panic and depressions and hard times no longer destroy from 50 to 75 per cent of the market value of land, when the notes of farmers are as good at maturity as they were on the day of execution, when manufacturers are reasonably sure of success, when professional people have a steady and certain income, when conditions are as sound in the summer as they are in the fall, when a reasonable and moderate prosperity smiles year in and year out and through all the years, then the banker may rest in the secure feeling that his assets are good, that his depositors will be pleased, and that his stockholders will receive dividends.

This business of stabilization of the prices of farm products, and thereby of the stabilization of business conditions generally, is of vast and of vital concern to the large vested property interests. Periods of prosperity followed by periods of poverty and panic are perilous. When people have become accustomed to continuous employment at good wages, it is dangerous for a time to come when there is little or no employment and at low wages. Such times breed socialistic and communistic thoughts, and in such thoughts lurk the seeds of revolution. I have little direct personal and pecuniary interest in the wise and fair settlement of the farm question. My personal investments in farm lands are not considerable. But in addition to realizing the justness, the reasonableness, the economic wisdom of bringing about a stabilization of the prices of farm commodities I feel, as an American citizen, devoted to her constitutional system, proud of her glorious past, and devoted to the belief that her future well-being will mean a continued blessing to humanity; I feel a patriotic impulse to contribute

in every possible way to the sane and just solution of this vexed problem. If I were a large capitalist and residing in some mighty city, with no direct financial interest in any farm, yet from the view with which I approach this matter I would feel the same solemn sense of duty to seek a settlement at an early date of this agitated matter.

I would say that these cycles, these successive ups and downs, these tides of economic activity should be stopped. They can be stopped very largely by settling the question which lies back of all other disturbances. The farm problem lies back of all problems, just like the farm life and the farm production lies back of all life and of all industrial production. When the price of farm produce shall have been stabilized within reasonable limits, and when manufacturers using farm produce as raw products and selling finished products to the farmers shall themselves have a uniform degree of prosperity, and when the mercantile interests, the financial interests, the transportation interests, the clerical and professional interests shall also enjoy the same steady, continuous, reasonably uniform degree of prosperity, then we may face the future with great confidence and feel that our country's destiny to lead the vanguard of civilization will be accomplished. But let these fluctuations continue, let the curve of prices rise and fall quickly, let the business cycles swiftly come and swiftly go, and though there will then be harvest time for speculators, it will also be seed time for agitators. Politics has an intimate and essential connection with economics. All history shows that forms of government and members of political bodies reflect prevailing economic forces and conditions. It is all well when we are at the flood tide of a cycle of prosperity. But the danger time comes when we fall to the bottom of a panicky period. When the farm lands are sold for debt and taxes, when the factories are closed for lack of orders, when the banks are cracking here and there like an icebound river on the approach of spring, when professional people can not collect fees for services, when merchants can not collect for goods sold and can not sell the goods upon their shelves for cash, when long lines of laborers stand through the long days seeking long hours of employment at low wages, when weary women watch with anxious eyes for the return home, empty handed, of the breadwinner, when little children look in vain for the cheap and simple toy and toothsome thing that they expect at Christmas and on birthdays, then there is trouble in the air; it is a time when the devil has business on his hands, and every patriot contemplates with fear for his country's future.

Mr. HARRISON. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. CONNALLY].

The CHAIRMAN. The gentleman from Texas is recognized for 30 minutes.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, the gentleman from New York [Mr. WAINWRIGHT] a few moments ago placed in the RECORD a statement with reference to the situation in China, and as I understand it listed certain American property in China and American citizens resident in China.

Mr. WAINWRIGHT. If the gentleman will permit, it was simply a statement furnished to me by the State Department of the number of American citizens and their distribution throughout China, and the amount of estimated American investments in China under various categories.

Mr. CONNALLY of Texas. Evidently the gentleman's action was provoked by press dispatches appearing for the last several days, and particularly this morning, with reference to anti-foreign riots in China, from which I suppose the gentleman—

Mr. WAINWRIGHT. I requested the information because I was impressed with the very great possibility of disaster to American lives and property in China at the present time; and I thought we should be more concerned with measures for their protection than with a discussion as to our future relations with this new government.

Mr. CONNALLY of Texas. I presume the gentleman's interest arose from his anxiety in regard to American lives and property in China. But I could not, in my mind, disassociate his anxiety in that regard from the anxiety that has been manifested in certain quarters during the past 10 days with reference to American lives and property in Nicaragua and Mexico and the serious international situation that has arisen.

Mr. Chairman and gentlemen of the House, the President on yesterday a week ago delivered a very serious and important message to the Congress. Among other things, the President said:

I think the time has arrived for me officially to inform the Congress more in detail of the events leading up to the present disturbances and conditions which seriously threaten American lives and



property, endanger the stability of all Central America, and put in jeopardy the rights granted by Nicaragua to the United States for the construction of a canal.

Mr. Chairman and gentlemen of the House, the President bases his message to Congress and his action to which it relates upon three considerations. The first is that American lives and property are threatened in the Republic of Nicaragua; second, that the stability of the whole of Central America is in danger; and third, that the transactions which are taking place and have taken place in the Republic of Nicaragua put in jeopardy the rights granted by the Republic of Nicaragua to the United States for the construction of an interoceanic canal.

The President deemed these matters of sufficient importance to communicate them officially to the House and the Senate. The rules of this House provide that bills and messages of the President and official papers shall be referred to the respective committees having jurisdiction of the subject matter, and in conformity with that rule the Speaker of the House referred the message of the President to the Committee on Foreign Affairs; and, being a member of that committee, I have felt a certain sense of responsibility to this House in relation to its affairs.

The committee met and this matter was brought before it. A motion was made that the committee invite the Secretary of State to appear and relate in more detail the facts upon which the action of the State Department and the President of the United States are based. But the committee, satisfied without any further information, perfectly content to let the message rest without any action or any notice, voted its refusal to hear any evidence or to invite a representative of the Department of State to come before it and submit any information in regard to it. This in the face of the fact that although the Secretary of State appeared before the Foreign Relations Committee of the Senate and advised it as to the facts, that information was not printed and was not made public. The majority of the committee whose duty it is to advise and counsel the House with relation to foreign affairs, not alone refused to take any official action, but formally and officially refused to ascertain any fact or to receive any evidence.

And what are the facts, as outlined by the President? The President set forth that in 1924 an election was held in Nicaragua, whereat Solorzano was elected President and the present revolutionary leader, Sacasa, was elected Vice President, and at that time American marines were in Nicaragua, but were to be withdrawn immediately and finally were withdrawn in August, 1925, Solorzano having taken office on the 1st of January, as I now recall, 1925. But within two months after marines were withdrawn from Nicaragua General Chamorro inaugurated a revolution, which resulted ultimately in the overthrow of Solorzano, the constitutional President. As an immediate result of the revolution, Solorzano was forced to accept the followers of Chamorro as members of his cabinet. Sacasa, the Vice President, thereupon left the country. In the language of the President's message—

In the meantime General Chamorro, who, while he had not actually taken over the office of President, was able to dictate his will to the actual executive, brought about the expulsion from the Congress of 18 members, on the ground that their election had been fraudulent, and caused to be put in their places candidates who had been defeated at the election of 1924. Having thus gained the control of Congress, he caused himself to be appointed by the Congress as designate on January 16, 1926. On January 16, 1926, Solorzano resigned as President, and immediately General Chamorro took office.

All the power of government came into the hands of Chamorro, the constitutional President having been overthrown.

Chamorro is a Nicaraguan character who has figured prominently in revolutions and in the affairs of Nicaragua over a long period of years. The President of the United States and the Department of State refused to recognize the Government of Chamorro on the ground that he was a usurper, on the ground that he had seized power in defiance of the constitution; and it refused to recognize Uriza, to whom the executive power was turned over by Chamorro, for the same reasons. I submit to this House that if Solorzano was deprived of the executive power he was exercising as executive by force of arms and in defiance of the constitution, Solorzano has rightfully continued to be the constitutional President of Nicaragua. In the event, however, of his voluntary resignation, Sacasa, the Vice President, would be the constitutional successor unless some disqualification could be pointed out. The Department of State contends that after Chamorro had been refused recognition and after Uriza was refused recognition the Congress was convoked by Uriza, and those members who had been ousted were recalled and Congress thereupon elected Diaz. It is

claimed that because Sacasa was physically absent from the republic he was thereby rendered ineligible as President, and that the election of Diaz was within the constitutional power of Congress. The State Department seems to ignore the contention that if Sacasa was forced out of the country through fear of his life or violence to his person his absence would not operate as a constitutional disqualification.

The present Government of Nicaragua, recognized as it is by the Department of State, was elected on November 10 by a congress and a régime that up to that time had been dominated by the usurper Chamorro, took office on November 14, and appealed to the United States Government on November 15; within one day after its recognition it appealed to the Government for aid because it alleged and claimed that interventions and aggressions by the Government of Mexico had already taken place against a Government which had only been in power 24 hours, and the Government of the United States recognized the government of Diaz on the 17th—72 hours after it came into existence. I contend, and I believe with good reason, that the Department of State in this regard has acted with undue haste and without consulting the best interests not alone of the Nicaraguan people but the people of the United States. [Applause.] And on what ground, my friends, was the appeal for intervention on the part of Nicaragua based? It was based, so the President says, on repeated appeals by Mr. Diaz, that solely—and that is the language of the President—solely because of the aid given by Mexico to the revolutionists; to protect the lives and property of American citizens and other foreigners. Here is what the President says, speaking of Diaz:

And has stated that he is unable, solely because of the aid given by Mexico to the revolutionists, to protect the lives and property of American citizens and other foreigners.

That appeal was made on November 15 and recognition was given on November 17.

Now, Mr. Chairman and gentlemen of the committee, it is inconceivable that the Department of State could have recognized the government of Diaz on the 17th of November, when it came into power only three days before, unless the representatives of the State Department in Nicaragua had some advance information or some forewarning of what was to take place through the elections on November 10, 1926. Hasty recognition was given a government that admitted its inability to protect foreigners. We must remember that the rebellion which is now pending in Nicaragua arose in May, 1926. At the time the Sacasa rebellion broke out Chamorro was in charge of the executive powers of the Government.

The Department of State and the President of the United States have branded Chamorro as an usurper, and they refused to recognize him. He was then in power administering the affairs of Nicaragua, according to the judgment of the world, as a usurper and a tyrant, and it was against the rule of Chamorro that the Sacasa rebellion was initiated. The revolutionists under Sacasa rose in arms to oust one who, according to our own judgment, was a usurper and a tyrant. That rebellion, which was begun in May, 1926, is the same rebellion that is taking place in Nicaragua to-day. Naturally the followers of Sacasa believe that if they had a right to revolt against Chamorro in May, 1926, they have a right to continue that rebellion until Sacasa, the constitutional vice president, is placed in the presidency, or until the faction that overthrew the legal president is ousted.

But, Mr. Chairman and gentlemen of the committee, I recognize the right of the Department of State in carrying on diplomatic intercourse to recognize this or that government as the facts of the case may seem to warrant, but the conduct of the department in relation to this particular matter does not exclude but rather induces the suspicion that either some of the agencies of the United States in Nicaragua or those influential with the Department of State had some intimate contact with the transactions in Nicaragua which resulted in the election of Diaz as President in November, 1926.

What is the basis upon which the President landed marines; and, in fact, intervened in the affairs of Nicaragua? His action is based upon the defense of American lives and American property, the same claim which the gentleman from New York has urged with respect to China.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. WAINWRIGHT. Is not the question a little bit broader than merely the protection of the lives and property of American citizens? Has it not been our policy, or attempted policy, to stop these ever-recurring revolutions in Central America and to use our efforts and our influence to induce a peaceful situation?

Mr. CONNALLY of Texas. All right. I will say to the gentleman—

Mr. HUDDLESTON. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. HUDDLESTON. Does the gentleman regard the assumption of overlordship, involved in the policy mentioned by the gentleman from New York, as in the least consistent with the independence of Central and South American nations?

Mr. RANKIN. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. RANKIN. Does not the same policy by which they propose to suppress this revolution tend also to stir up a revolution in Mexico?

Mr. WAINWRIGHT. Will the gentleman yield again?

Mr. CONNALLY of Texas. Let me answer. I have three questions to answer, but I yield to the gentleman.

Mr. WAINWRIGHT. All I had in mind was the extension of the same policy which we have put into effect with regard to Cuba, where we have taken the position with regard to Cuba of keeping a peaceful situation there, as we have in regard to Santo Domingo and Haiti?

Mr. CONNALLY of Texas. I want to say to the gentleman that the gentleman from New York is at least frank, he is at least open, he comes out and avows what he believes. He believes in the policy not only of protecting American lives, throwing the shield of our Government around American lives and property, but the gentleman from New York believes that it is the duty and ought to be the policy of the United States whenever a revolution breaks out in a Central or South American country to step in and suppress the revolution. In effect he would say: "We will recognize you and we will suppress you; we will make ourselves the policemen of Central and South America and we will assume and arrogate to ourselves the right to say what is the legal government anywhere on this Western Hemisphere." That is the doctrine of the gentleman.

Mr. WAINWRIGHT. No; but that we will abate these constantly recurring nuisances in our vicinity.

Mr. CONNALLY of Texas. They started out in the gentleman's mind with the dignity of a revolution. Now, they have descended to the basis of a nuisance, and the gentleman wants to abate every nuisance in South and Central America.

Mr. BERGER. Will the gentleman yield?

Mr. CONNALLY of Texas. Not just now, because I want to reply to these gentlemen.

I will say to the gentleman from Alabama [Mr. HUDDLESTON], in answering his query, of course, I do not follow the doctrine of the gentleman from New York. I do not believe it follows logically from the fact we have the right to protect American lives and property that we should assume the rôle of the arbiter and the dictator as to what government shall exist or what government shall not exist. That policy, as suggested by the gentleman from Mississippi, would also involve us in Mexico.

I believe that the Central American and the South American Republics are sovereign nations, and though they are small, though they are weak, they have the right to transact their own affairs and select the form of government under which they desire to live, so long as they do not permit any European nation to violate the Monroe doctrine.

Protect American lives and property! The President, in his message, seems to point out what he had already done or what he at least intended to do in Nicaragua, and it seems to fit in quite conveniently with the theory of the gentleman from New York [Mr. WAINWRIGHT]. Whether the President merely meant to relate a historic occurrence or whether he meant to describe what he was about to do or already had done in Nicaragua, I do not know, but here is what he says:

It is well known that in 1912 the United States intervened in Nicaragua with a large force and put down a revolution, and that from that time to 1925 a legation guard of American marines was, with the consent of the Nicaraguan Government, kept in Managua to protect American lives and property.

Then, in concluding his message, the President says:

In this respect I propose to follow the path of my predecessors.

It does not require any wide stretch of the imagination to conclude that when the President announced he proposed to follow the path of his predecessors that he had regard to that statement that he had made at the very outset, that in 1912 the United States Government had "intervened in Nicaragua and put down a revolution." He uses the word "intervened."

I submit, gentlemen of the committee, that in effect that is what the action of the President and the Department of State amounts to in the present state of affairs in Nicaragua. Here we have two contending factions. Here we have a President, recognized, it is true, by the United States, but a President who seized his power as the result of a revolution. Diaz

came into power, if not directly at least indirectly, through the revolution of Chamorro, who ousted the constitutionally elected President, Solorzano, and drove him from the country; a revolution which resulted also in driving from the country the constitutionally elected Vice President. As a result of these transactions Mr. Diaz was elected President. Here we have a revolution that broke out in May, 1926, and in that state of affairs, when according to the press reports the revolutionists were steadily making gains on the Government forces, when the press was filled with statements by President Diaz that unless the United States gave him aid he could not carry on and could not maintain himself; in that state of affairs, the President of the United States lands marines, gives command to a naval officer, and authorizes that naval officer to establish such "neutral zones" as the naval officer feels necessary in the premises.

What is the result? If I read the press reports correctly, first, Bluefields was declared a neutral zone and then some other coast town; wherever the Liberals became active, wherever their cause seemed to offer any hope of success, there was immediately declared a neutral zone and the revolutionists were, in consequence in a large measure, prevented from carrying on hostilities against the Government forces.

My friends, of course the United States has a right to protect American lives and property, but the doctrine of protecting American lives and property is not based upon the right to permanently occupy, with a military force, a foreign country. The right to land marines or troops in a foreign country is predicated upon the existence of danger to lives or property of such an imminent character, and under such extraordinary circumstances, as not to permit of delay in order to safeguard those interests.

Mr. WAINWRIGHT. Will the gentleman again yield?

Mr. CONNALLY of Texas. Not just now. I do not want to be discourteous to the gentleman, but my time is very limited.

It is based upon the theory that that danger must arise under some extraordinary circumstances. It must be so imminent that it can not be taken up through diplomatic channels or otherwise, and there must also exist either the unwillingness or the inability of the local authorities to afford protection to lives and property. But it does not involve the theory that Americans or any other nationals can go permanently into a foreign country, knowing its laws, knowing its conditions, and invest their money in the ordinary business enterprises of that country and then expect or demand that the United States shall police that country in order to prevent them from undergoing the ordinary risks that are incident to their residence in that country, and the ordinary risks that are incident to residence there both by themselves and the nationals of that country.

Mr. WAINWRIGHT. Will the gentleman now yield?

Mr. CONNALLY of Texas. Yes; I yield now to the gentleman.

Mr. WAINWRIGHT. How about foreign investments and the possible application of the Monroe doctrine as a justification for our intervention?

Mr. CONNALLY of Texas. The President does not base his action on the Monroe doctrine. But those who accept without investigation what the President says in his message throw up their hats without ever hearing any of the evidence before the committee and wave the flag and shout loudly about the Monroe doctrine.

Mr. WAINWRIGHT. If the gentleman will stick to my question, I am just asking the question as to foreign investments and the maintenance of stability of Government as an alternative of their stepping in to protect their own interests rather than having us protect such interests for them.

Mr. CONNALLY of Texas. I shall endeavor to answer the gentleman, if the gentleman will permit.

The gentleman invokes the Monroe doctrine and the protection of foreign investments. What is the Monroe doctrine? The Monroe doctrine is a doctrine not of aggression against the South American Republic, but the Monroe doctrine is a doctrine based fundamentally on the theory of self-defense for the United States. How did it arise? After the Napoleonic wars in Europe the Czar of Russia, the King of Prussia, and the Austrian Emperor formed themselves and their monarchies into a league for the protection of monarchy and for the suppression of revolution and liberal movement all over the world. It came to be known as the Holy Alliance because it was formed to support the "divine right" of kings. After the Holy Alliance had come into existence Spain conceived the idea of reconquering the South and Central American Republics and appealed to the Holy Alliance to give her aid and comfort in her ambition to reconquer those countries. Great Britain was looking after world trade and had built up a considerable trade with the Central and South American Republics. She realized that if Spain reconquered those territories her trade and dominion in those countries would be seriously impaired.



Mr. Rush, the American minister, entered into conversations with the British minister as to how that movement could be thwarted. It finally resulted in a declaration by President Monroe in December, 1823. What was that declaration? Here it is:

Our policy in regard to Europe, which was adopted at an early state of the wars which so long agitated that quarter of the globe, nevertheless remains the same, which is—not to interfere in the internal concerns of any of its powers; to consider the government de facto the legitimate government for us; to cultivate friendly relations with it; and to preserve those relations by a frank, firm, and manly policy, meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents circumstances are eminently and conspicuously different. It is impossible that the Allied Powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference.

The Monroe doctrine was adopted as a measure of self-defense by the United States. Its policy denies the right of any European power to establish its system on or extend that system to any part of the Western Hemisphere, as a danger to our own security. It follows, of course, as a secondary consideration, that it operates as a safeguard to the republics of Central and South America against European aggression in any form. The Monroe doctrine was intended as a protection for the South American countries, a protection of Nicaragua as well as ourselves.

Gentlemen say that if Europe can not establish her system on this hemisphere then the United States assumes the duty of seeing that foreign life and property are protected. I grant, gentlemen, that there may arise a moral claim, or color of claims, on the part of a European power that the United States ought not to permit any republic of Central or South America to employ the protection secured by the Monroe doctrine in such a way as to avoid its just obligations to the European power. But that is not the case.

The Monroe doctrine has never been invoked by the United States to deny to European powers the enforcement of their just demands. The Monroe doctrine does imply that the United States will not allow any foreign power in the collection of debts to acquire any territory or in anywise establish any portion of its system on the western hemisphere.

Mr. WAINWRIGHT. Will the gentleman allow me one brief question?

Mr. CONNALLY of Texas. One brief question.

Mr. WAINWRIGHT. How about Grover Cleveland and Venezuela?

Mr. CONNALLY of Texas. Oh, I see what is the matter with the gentleman. I thought he was standing up for the Monroe doctrine, that he was interested in this question from a broad, philosophical standpoint, but I see that he is viewing the matter as a partisan and he wants to know about Grover Cleveland and the Monroe doctrine.

Great Britain and Venezuela were involved in a dispute involving the boundary between British territory and Venezuela. Had Great Britain enforced her demands by force, it would have operated to bring additional territory under the British flag. It would have operated to "extend" the British system over new territory and would have constituted a violation of the Monroe doctrine. President Cleveland very properly and courageously intervened and prevented the employment of force by Great Britain.

Mr. WAINWRIGHT rose.

Mr. CONNALLY of Texas. I can not yield further to the gentleman. I do not want to be discourteous, but I have limited time. Mr. Chairman, if the Monroe doctrine, established as it was for our protection and the protection of South America, ever comes to be regarded by Central and South America as a cloak under which the United States can seek and acquire concessions, property rights, and privileges which are not accorded to other nations; if the Monroe doctrine ever comes to be regarded by South and Central America as a means whereby the United States will exploit not alone their resources but their government and their people; if the Monroe doctrine ever comes to be viewed in the eyes of the world as a mask behind which America shall seek and secure special privileges for herself and her citizens in South and Central America, then the Monroe doctrine will no longer be without challenge in the chancelleries of the world.

Mr. WAINWRIGHT. Mr. Chairman, I subscribe to that last statement of the gentleman from Texas.

Mr. CONNALLY of Texas. Mr. Chairman, I am very glad that the gentleman subscribes to it.

It is said that American lives and properties in Nicaragua are in danger. I urged the Committee on Foreign Affairs to have brought before it evidence of what lives are in danger. I wanted to know what American citizens in Nicaragua were threatened. I wanted to know what our citizens were doing there, whether temporarily or permanently residing there. I would like to know whether such citizens whose lives are endangered have aligned themselves with one or the other of these revolutionary parties.

I would like to know where the American property is situated that has been threatened and endangered by Mexican aggression. But, Mr. Chairman, we could not get that information. It is a little significant that in this connection the Secretary of State was not willing to base his reasons for action upon the protection of American lives and property, but that the Department of State dragged in the bogey of Bolshevism, which that department claims is being employed in Central and South America to overthrow the Government of the United States. Hobgoblins and imaginary monsters have long been employed to frighten the ignorant and the superstitious. Great nations and enlightened peoples can not be affrighted by them. We are not afraid of Bolshevism. We can not suppress Bolshevism with repressive measures. Its antidote is reason and common sense. [Applause.] American commercial aggression, American imperialism—and I mean commercial imperialism—the creation in the minds of South and Central American countries of a belief that our foreign policy is subservient to the dollar, will do more to create and foster Bolshevism in Central and South America than all of the propaganda that the disciples of Trotsky and Lenin could disseminate in a decade. [Applause.]

Mr. Chairman, the President bases his action in Nicaragua largely upon the claim that Mexico was furnishing arms and ammunition to the revolutionists. I am not here to-day to speak in behalf of Nicaragua; I am not here to speak in behalf of Mexico; I am not here to speak in behalf of China. I am speaking in behalf of my own country. But the President ought to know that the Republic of Mexico had the same right to recognize the government of Sacasa that the Government of the United States had to recognize the government of Diaz. He ought to know that Mexican citizens had the same right to sell arms and ammunition to one faction in Nicaragua that our citizens had to sell arms and ammunition to the other faction.

While we may disagree with Mexico in her course toward Nicaragua, we must not fail to recognize the fact that Mexico is a sovereign republic, that Nicaragua is a sovereign republic, and as such have a right to order their own internal affairs according to their own will, unless they conflict with some treaty rights or the accepted principles of international law. It is rather significant that the President should so have intertwined the Nicaraguan situation with the Mexican situation just at a time when our international relations with Mexico concerning her oil laws were about to reach a critical stage. On the 1st of January last it was believed that our affairs with Mexico had reached a critical period. The United States, on the one hand, had contended and now contends that article 27 of the Mexican constitution was being retroactively applied to oil properties that had been acquired prior to May 1, 1917. Mexico, on the other hand, contended and now contends that by confirming oil titles which had been acquired prior to May 1, 1917, and upon which works of exploration for oil, or what is called "positive acts," had taken place prior to May 1, 1917, by granting concessions for the exploitation of oil thereon for 50 years. She was not making a retroactive application of the law. But in considering the oil dispute with Mexico, we must remember that the Mexican constitution and the Mexican oil laws apply to Mexican citizens just as they apply to American citizens. There is no discrimination in the Mexican oil laws against either Americans or other foreigners. I believe that when an American citizen goes into a foreign country to permanently reside, when he exchanges his home under the American flag for a home in a foreign country because he can make more money there, when he goes there to seek the advantages which that country affords, when he voluntarily chooses that country as his residence, he ought to submit his business to the same regulations that govern the citizens of that country and their business. [Applause.]

I do not believe that the American oil investor ought to demand of the Mexican Government any privileges or rights not enjoyed by the Mexican citizen similarly situated; and if he does, I do not believe that the duty rests upon the American Government to send an American Army to Mexico to protect the oil property of that citizen who sits in Wall Street and wants an army to go down and save his property. I do not believe there is any duty defined either in the Constitution or in morals

that requires this Government in such a case to send an army to protect his oil in Mexico. [Applause.] The Mexican courts are open and many of the oil companies have availed themselves of the right to test the validity of the oil laws. I believe our Government ought to use diplomacy and placable means to adjust the dispute. It should invite the oil companies to submit to the Mexican courts their titles and claims. The oil controversy should be submitted to arbitration—to an impartial tribunal. What is the world thinking about to-day? Do not forget that the rest of the world is looking with interest upon what is transpiring in Mexico and Central America.

The nations of the world are looking with keen eyes upon Nicaragua and Mexico. Here is a press dispatch from the Republic of Argentina criticizing the action of the United States. Here is another press dispatch of the same import from Buenos Aires. Here is another from Costa Rica. Here is another dispatch from Chili, another from Great Britain, another dispatch from Rio de Janeiro. I have read European comments from France and other nations. Gentlemen of the House, if the great nations of the earth ever come to believe that the Monroe doctrine is being used by the United States, not as a defensive policy to protect ourselves and the independence of South America and Central America, but that we have forged it into an instrument to control the political independence and integrity of Central and South American countries, if they come to believe that we employ it as a vehicle upon which to carry on a search for concessions and preferential rights, then the Monroe doctrine will not only be challenged by the great powers but it will be spurned by Central and South America as a weapon for their exploitation instead of for their defense.

This morning's paper carries the news that in China there are antiforeign riots directed to American and British subjects. Why? Because foreign countries have extorted from China the surrender of her sovereignty. They demanded that foreigners in China shall not be amenable to Chinese law, but shall only be tried in courts established and maintained in China by foreign countries. The powers imposed upon the impotent and helpless Chinese extraterritoriality and foreign territorial concessions. The great countries have exploited China. For years the United States has been policing the rivers of China with American naval gunboats.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY of Texas. Can the gentleman give me five more minutes?

Mr. HARRISON. I yield the gentleman five additional minutes.

Mr. CONNALLY of Texas. To do what? To protect American rights and property about which the gentleman from New York [Mr. WAINWRIGHT] is so much concerned.

Let us talk about the property. The citizens can get out, but the property can not. What is the property? One of my colleagues told me that a few years ago he was in China, and he saw the United States flag flying. He saw an American marine with a gun on his shoulder, marching his beat. His heart swelled with pride as he saw Old Glory glittering in the sun and a representative of his great country in uniform, and he wondered why he was there. Somebody said that he was there to protect American life and property. Then he looked across the street in search of the American property and lives that were there, and he saw on a building in glittering letters of gilt, "The Standard Oil Co." [Laughter and applause.] China is tired of foreign exploitation. China resents foreign control of her ports. China wants no foreign policing of her rivers and territory.

The Chinese are rising against her wrongs. Let us hope that a great tragedy may be averted.

Mr. Speaker, I desire that American lives and property may be protected in every foreign country. The best way on earth for us to protect American lives and American property is to so deal with foreign countries that they will have an affection and an attachment for us rather than hatred and suspicion. I am devoted to the welfare of my country at home and abroad. I am anxious to see the foreign policy of my country conducted on such a high plane, on such a lofty level, that the world will know that we are actuated by principles of justice and fair dealing, by principles and not by a love of dollars.

There was a time when the question arose in this country as to whether or not the Constitution followed the flag. The question now seems to be whether or not the Army shall follow the dollar.

Gentlemen of the House, I am interested in this question solely as an American. I want to see my country occupy a position of influence among the powers of the world. I want my country to occupy such a position that when it speaks in behalf of small nations or in behalf of great nations it will have the respect and the confidence of those who sit about

the council board. To attain and maintain that position we must demonetize our present foreign policy. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. May I have two minutes more, please?

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. The time has come in America when its Government and its people must come to grips with the great moneyed interests that are seeking to control it. Only a little while ago these sordid interests reached their grasping fingers into the very Cabinet itself and abstracted the oil reserves of the Nation, and then with another hand they reached out and seized the Department of Justice, to prostitute it to their own foul purposes. In the past year these same interests have poured into the ballot box of the people, millions of dollars in an effort to acquire control of this Government of the people.

Oh, Mr. President, I appeal to you to use forbearance, high courage, and justice in your foreign policy and at home in order that now in this hour these same interests may not reach out and grasp the foreign policy of this Republic in order to employ it to their own greedy purposes and to bring upon us not alone the odium of the rest of the world but the hatred and contempt of those nations with which we deal. [Applause.]

Mr. CLAGUE. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. WURZBACH].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. WURZBACH. Mr. Chairman, in the time allotted me I want to submit a few remarks of a very general nature that come to my mind in the consideration of the pending Army appropriation bill.

The Appropriations Committee of the House, and especially its military subcommittee and its able acting chairman, the gentleman from California [Mr. BARBOUR], all are entitled to the praise and thanks of Congress. You ask why? Not only because this bill provides for more liberal appropriations for the Army than was recommended by the Budget Bureau. That is one reason. I favor and the country favors liberal appropriations, appropriations liberal enough to provide an adequate national defense, and this bill comes nearer doing that than does the Budget proposal. If we are to have a policy of cheese-paring economy we must not apply it to the Army or Navy at the peril of national security.

But my congratulations are offered to the Appropriations Committee, principally because this great committee, in the preparation and report of this bill, as perhaps in no other appropriation bill reported out by that committee since the passage of the Budget Act of 1921, has asserted and defended the constitutional powers of this Congress in the vital matter of legislative appropriations. Many of us have protested, in the cloakroom and lobbies, against the alleged undue concentration of appropriating power in the Appropriations Committee and in the Bureau of the Budget, at the expense of and to the exclusion of legislative committees of the House. I am now prepared, so far as the Appropriations Committee is concerned, to revise my former views. I would say that the legislative committees, instead of having been deprived or shorn of their proper and legal powers and responsibilities, have abdicated and surrendered them to the Appropriations Committee. Instead of encroachment of one committee upon the other, it has been a surrender of power, one to the other. Legislative committees still do have, if energetically asserted and maintained, important functions to perform in the matter of appropriations for the departments over which they have jurisdiction. Every appropriation presupposes a prior legislative act, and no appropriation can properly be made without legislative authorization in one way or another, and such prior legislation can, under the law and rules, originate only in the legislative committees.

What I have said about legislative committees generally as to their surrender of power to the Appropriations Committee applies as well to the Military Affairs Committee. This committee has not exercised its full powers in legislation pertaining to appropriations for the Army. This was true in the past but is not true now. Under the able leadership—aggressive but tactful—of the gentleman from Michigan [Mr. JAMES], acting chairman, the Military Committee is taking a new stand and is pursuing a new policy. It is doing nothing radical, but only asserting its rights and performing its duty. The Military Committee has cooperated with the Appropriations Committee in the preparation of this bill, and the bill in a



sense is the joint product of the two committees, and generally satisfactory to both. The Military Committee had brought before it practically the same witnesses that appeared before the Appropriations Committee and substantially the same information was given to one as to the other. The Military Committee considered and reported legislation authorizing appropriations ordinarily left to the Appropriations Committee for inclusion in its bill. It is self-evident that if the House Military Committee fails to report and the House fails to pass legislation, for instance, to properly house, feed, or clothe the Army, the Appropriations Committee is then forced by very necessity to assume the neglected duty of the Military Committee and of Congress, and to write such legislation into appropriation bills or leave the Army unhoused, hungry, and naked. It must assume that duty, though, with full knowledge that it has no legislative power and always at the risk of having such attempted legislation stricken out on points of order.

I have attempted to show—I hope with some success—that the diminution of power of legislative committees of the House is not ascribable to encroachment by the Appropriations Committee but rather the result of abdication and surrender of the former to the latter. Let us now turn our attention to the Budget Bureau and ascertain whether there is any encroachment, on its part, on the powers of Congress or its legislative committees, Appropriations Committee included. To do this we should—in fact, must—first determine its proper functions, powers, and duties under the law. Its powers determined, we may compare and contrast its powers with its practices. What are the powers of the Budget Bureau under the law?

There seems to be the impression that since the passage of the Budget and Accounting Act of 1921 the bureau thereby created has succeeded to the important powers of Congress, or some of them, with respect to appropriations. This impression is utterly unfounded and false and in its effect is just as dangerous as it is false. If the language of that act could be fairly construed as a delegation of such important constitutional legislative powers to another agency or bureau, and especially an agency in another department of government, in this case the executive department, it would unquestionably be held unconstitutional. But the act itself is not unconstitutional, for the very simple reason that the language is not susceptible of such construction, and it clearly appears that no such power was intended to be delegated. Congress could not delegate such power if it would. It is only the practices of the Budget Bureau and not the act itself that might lead one to the belief that Congress had relinquished such powers.

Let me read at this point remarks of Mr. Good, former chairman of the Appropriations Committee, who led the fight for the establishment of the Budget Bureau Act. On October 17, 1919, CONGRESSIONAL RECORD, page 7084, he said:

#### AN "EXECUTIVE BUDGET" NOT PROPOSED

It will no doubt be urged by some that this bill provides for an executive Budget, and that under our Constitution the duty of making appropriations is a legislative and not an executive prerogative. This bill does not take from or add to the duties now imposed upon Congress, and so forth.

The bill does not in a single particular give the Executive any greater power over the consideration of appropriations by Congress than he now has. In my opinion the plan proposed will fall far short of accomplishing its real purpose if in its operation there should be any surrender by Congress of the minutest examination into every detail of the estimates (referring to estimates of heads of executive departments), and the bill leaves Congress free and independent to act upon the proposals contained in the Budget. Unquestionably, however, the estimates found in the Budget will come to Congress after a more mature deliberation by the executive departments, and the work now required by Congress and its committees in making its investigations will be materially reduced.

The Budget Bureau is a creature of Congress made to serve and aid Congress. We did not create a Frankenstein monster. The bureau was created first to aid the President so that he might the better perform one of his constitutional duties—a duty, not a power. What is that duty? It is declared in section 3, Article II, of the Constitution, and reads:

He—

The President—

shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient—

And so forth. In other words, and to repeat, the Budget Bureau is first of all an aid to the President that he may the better give to Congress the information it needs, and so that in turn

Congress will be better qualified to make use of such fuller information in the performance of its high and important power and duty, to wit, its legislative appropriating power and duty.

Although this limited, though useful, function of the Budget Bureau ought to be clearly understood, a mysterious, unreasonable sanctity seems to surround it. A few days ago the pending Army bill was reported, and when it appeared that the Appropriations Committee had not followed the recommendations of the Budget Bureau, but had provided for larger appropriations for national defense than was suggested in the estimates of the Budget, one of the Washington papers carried the headline statement that the House had "flouted the Budget." As if the committee had done an irregular thing or had invaded a right and power of the Budget Bureau! The implication carried in the newspaper story was that a committee of Congress acting within its power, but not trailing the Budget, had actually violated some legal right of the bureau.

I know that it is unpopular to criticize the bureau, because it is supposed to be the beginning and end of governmental efficiency and economy. It has effected great economies and I am a supporter of the Budget Bureau when it stays within its legal bounds. I am a firm believer in governmental economy, but I am not willing to give my aid to the establishment of a precedent that violates, not only the statute law, but violates, in effect, the fundamental law of the land. And as a practical proposition, it should not be lost sight of, but kept constantly in mind, that a precedent established to-day in violation of law to secure economy may be used to-morrow to effect a different, a very opposite purpose. Precedents established contrary to law, constitutional law at that, ought never to be countenanced. Precedents are always born and first nurtured in the fertile soil of favorable and temporary expediency, but when fully grown they thrive under any and all conditions.

From which it follows that the fact that we may have, at this particular time, a President both wise and good, and a Director of the Budget equally wise and good, not only does not answer my protest against the establishment of dangerous precedents, but on the contrary makes it all the more important that we carefully guard against establishing a rule that may at some future time be misused by a President, or a bureau, not so good and wise. To-day the national pendulum is swinging in the direction of national economy, but who knows how widely it may swing later the other way? But concluding on this thought, I can only say that it is the duty of Congress alone to guard its constitutional powers. This is our duty. We are the trustees, we are the depository of the legislative appropriating power, granted by and through the Constitution of the United States. To do less than our utmost in protecting those powers and in performing the duties that grow out of them, would make each and all of us guilty of the grossest constitutional immorality.

Let me now cite two of the unwarranted practices of the Budget Bureau. I hope that it will be understood that my criticisms are all made in the most impersonal way. The motives behind the practices may be of the very highest. The gentleman from Minnesota [Mr. Newton] called attention to one of these practices in a speech he made on the floor of this House on January 11, as it appears in the CONGRESSIONAL RECORD, page 1425. He referred to what is known as the 2 per cent personnel club. He spoke of it as having been at first a voluntary club, and continues—

That which had been voluntary theretofore has been made compulsory by reason of an order that has been issued by the Director of the Budget under the authority of the President.

Every department head and bureau chief was preemptorily ordered by the above pronouncement of the Budget to make an arbitrary reduction of 2 per cent below the amount appropriated by Congress for salaries of civilian employees of the Government, and until such reduction had been made no vacancies were to be filled or promotions made as to this class of Federal employees. I can hear gentlemen, as I have already heard them, including gentlemen from the South, strictest constructionists of the Constitution, ardent champions of the accepted theory of government that the powers of one of the coordinate departments must not infringe upon another, voice their approval of this bureau order. And all supposedly in the name of economy.

This order would not have been objectionable had it only ordered in general terms that department heads and bureau chiefs must practice the utmost economy within the limits of the money appropriated and allotted. I would not only favor the issuance of such an order but would like to see it strictly enforced. But I can not agree with the Budget or with gentlemen defending it, that after Congress has made an appro-

priation for a particular purpose, after it has run the gantlet appropriations bills do run, after it has received the approval of the departments, then of the Budget Bureau itself, then of the Appropriations Committee, and finally after all that, and it has received the approval of both the House and Senate and has become a law, that then and under such circumstances the Budget Bureau or the President is authorized to peremptorily order that there shall be expended for the particular purpose 2 per cent less or any other per cent less than was voted by Congress. If 2 per cent, why not 5 per cent or 10 per cent or 50 per cent? If a reduction, why not also an increase? In short, if the Budget Bureau or the President may in such manner control the purse strings of the Nation, why not dispense with Congress altogether? This is in effect a veto, but not such a veto as is provided for in our Constitution.

In the beginning of my remarks I referred to two practices of the Budget Bureau that are not authorized by the Budget act. I have just mentioned and briefly discussed one of them. The other practice is one which discourages—no, positively prohibits—department heads from furnishing committees of the House true, full, and complete estimates of the financial needs of such departments. It works in this wise: Department heads are given what are known as "limiting figures" by the Budget Bureau, beyond which they are not permitted to go in presenting to Congress their plans for needed expenditures. This was admitted to the Committee on Military Affairs during recent hearings. If there could be any doubt of the correctness of this statement, it is removed by the words of the gentleman from Michigan [Mr. CRAMTON], himself a member of the Appropriations Committee. He ought to know if anyone does. On January 11 he said, in speaking of the Budget system:

We have a budget system, so that departments can not ask for all they want or all they know they need. Their hands are tied.

That is a plain, blunt statement of a fact that ought not to be a fact. If that is the experience and observation of the gentleman from Michigan, speaking from the standpoint of a member of the powerful Appropriations Committee, a committee that unquestionably ought to learn the needs of departments from those best qualified to speak, what is the position of mere legislative committees and their opportunities to secure full and free information from department heads and bureau chiefs. If Congress is not entitled to such information, who is? Congress, in order to act intelligently, and committees of the House as well, ought not be denied information by the very bureau that Congress itself created, and which it created for the very purpose of securing just such information. Where else is such information obtainable? Why, gentlemen, before the Budget Bureau was created Congress and all its committees had free access to estimates of any and every department head. Neither their hands nor their tongues were tied. Instead of doors of information being opened to us by the Budget Bureau, they are being closed, or Congress is asked to peep through the keyhole or a crack in the door. This looks very much like a case of the "tail wagging the dog." It does to me. How does it look to you?

We Members of Congress can not blind ourselves to the fact that Congress does not stand as high in the respect of the people as it formerly did. I wonder if that is not due to the fact that we are not as jealous of our powers as our predecessors were! Are we not surrendering important powers and relieving ourselves of important duties, and devoting our time and energy to messenger-boy services and other trivialities? Is not this the real reason we are losing prestige with the people? I think it is. [Applause.]

The CHAIRMAN (Mr. DOWELL). The time of the gentleman from Texas has expired.

Mr. CLAGUE. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. BERGER].

The CHAIRMAN. The gentleman from Wisconsin is recognized for 20 minutes.

Mr. BERGER. Mr. Chairman and gentlemen of the committee, in the few minutes allotted to me I can not do justice to the subject, and therefore I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BERGER. Mr. Chairman, ladies, and gentlemen of the House, I really did not intend to take the floor at this time. I am under a physician's care. Moreover, we have had enough oratory.

A WAR REQUIRES ABOVE ALL MUCH MENTAL PREPAREDNESS

I read in the papers and heard on the floor of this House, however, something about a war with Mexico in which the

United States may become involved. And the moment I heard the word "war" I felt like the old military steed that heard the bugle. I am an old war horse. I went through a war for four years and a half, and my "croix de guerre"—my cross of war—consisted in a sentence to serve 20 years in the penitentiary. Some cross to bear.

After looking over the situation carefully, however, I am not a bit afraid that there will be war. There is not the slightest danger.

The American people are not ready for any war. Wars nowadays must be mentally and psychologically thoroughly prepared—prepared by a drum fire of propaganda. We did not even have a preparedness parade as yet, as we had in 1916.

"MAD DOG OF EUROPE" AND BELGIAN "BABY FINGERS" WERE PART OF THE WAR OF THE "ALL-LIES"

The World War, for instance—there was a war for which the world was mentally well prepared. The British imperialists began their propaganda as early as 1896. By 1914 everybody knew that the Germans were not Germans at all—that they were Huns—and that Germany was "the mad dog of Europe."

And that was wise of the governments.

It would have been very difficult to induce the English people and the German folks to slaughter one another for purely commercial considerations. It would not do to tell their people that it was a question of world's trade, or of the rule of the seven seas. Each government had to persuade its nationals that the other people were not human, that they were fiends. But the clever British and French propaganda was infinitely superior to the clumsy German talk about "a place in the sun."

Remember what our American folks had to be told for about three or four years before we got ready to enter the war? The daily press, the movies, the magazines, the playhouses—even the schools and churches—were just ablaze with stories about the misdeeds of the Huns and their Kaiser. We were told as early as 1915 that unless we got into the war "the Kaiser would come over here and take all our money away." And, as usual, those that had the least money to lose were scared the most.

And people believed it. And some people in the mountains of Tennessee still believe it. And then, also, the stories of "the Belgian babies whose fingers were cut off." The British ambassador, James Bryce, vouched for the truth of these stories. And about the French babies that hung in the butcher shops, like pigs. Some people not only believed that, but claimed that they had friends who had seen them.

Of course we had to go to war to stop all that beastly cruelty.

PEOPLE BEGIN TO SEE THROUGH THE PROPAGANDA

But, alas, how now? You could not tell even the most credulous Ku-Kluxer in Texas that Calles would come over here and take our money away. He would surely answer that Texas could at any time lick Mexico single handed.

It would take quite a little propaganda before the bulk of the American people would become ready for war with Mexico. First and foremost, they would want to know why they should have any war at all.

There are millions of Americans who are beginning to see now that we were bamboozled and flimflammed into the World War; that it was not a war to protect the small nations; not a war to make the world safe for democracy; not a war to do away with militarism; not a war to make an end to all wars.

Yet all of these reasons for entering the World War were given at the time to the "intellectuals" of the Nation.

OF COURSE, OUR CAPITALISTS OWN THE "PATRIA" AND ARE THE "PATRIOTS"

The truth is that no one is anxious to have a war just now—except a small clique of young militarists in the War Office.

President Coolidge does not want war, and poor Kellogg does not want it. Some papers close to the oil magnates, a few Knights of Columbus fanatics, and the Hearst organs talk about war—but it is evidently done for the purpose of intimidating the Calles government in Mexico. Our American capitalist class is not ready for any war.

Of course, if the American capitalists should really want war with Mexico or with anybody else they could have it quickly enough. Our capitalist class owns the press, controls the churches, rules the schools; speaks through the radio, the playhouses, and the billboards; and possesses all means of publicity and of communication.

The capitalist class owns the "patria," and therefore has the first call on all "patriotism."

The capitalist class, as a matter of course, also owns both of the old parties in Congress and out of Congress.

Therefore, if our capitalist class really wanted war with Mexico, who would be here to stop it?



The Republican Party would be for it about 98 per cent. And the Democratic Party, whose stronghold is nearer Mexico, would be for it 99 per cent.

Who would oppose it?

#### THE OPPOSITION WOULD FALL IN LINE

The peace societies? They would adjourn, as in 1917, and the ladies would knit stockings, jackets, and possibly do some Red Cross work for the soldiers.

The Ku-Klux Klan? That is a patriotic society, and in killing Mexicans their members would be killing Roman Catholics and some negroes, which is not against a "Klansman's creed."

The American Federation of Labor? It would want \$1 more wages per day for the munition workers.

The farmers? They would simply demand \$2.25 for a bushel of wheat.

The Liberals? Where was the New York World during the war? It was Woodrow Wilson's mouthpiece. Where was The New Republic? Its editors were in the War Department, or working for George Creel.

In short, there would be no real opposition if our capitalist class would be really determined to go to war with Mexico.

#### THEREFORE—WHY TROT OUT THE BOLSHEVIK SPOOK?

But I am disappointed in the way the President and Mr. Kellogg handle this situation. It is really humiliating.

There is Mr. Kellogg. He knows all this, or ought to know it. He has lived in this country for some time. Therefore, why did he have to take refuge behind that worn-out scarecrow, the "red spook," for this particular war whoop? Why did he have to trot out Bolshevism to fortify his position?

#### MR. KELLOGG'S DARK RED PLOT IN MEXICO

When Mr. Kellogg was invited to appear before the Senate committee to explain the basis and the justification for our Government's policy in Nicaragua, and also the policy against Mexico which is interwoven—he left with the committee a paper entitled "Bolshevik Aims and Policies in Mexico and Latin America."

From this paper we learned that there is in Mexico a deep and dark plot which originated in Moscow to combat American imperialism—and particularly American imperialism in Latin America. That plot is to be carried out by the American Communist Party, called the Workers Party, and it is this plot that gave the Secretary of State, and evidently also the President of the United States, the cold shivers.

#### PROBABLY—NEITHER MR. KELLOGG NOR MR. COOLIDGE EVER MET A COMMUNIST

Now, I will say this: I very seriously doubt whether Mr. Kellogg, or Mr. Coolidge, has ever seen a real live communist. There are so few of them in the United States.

Now, I can proudly claim that I have seen, met, and spoken to some. And I had some very serious disagreements with them—and I never shivered the slightest bit.

As a matter of fact, I sat in committee more than once with that arch-Bolshevik, Nicolai Lenin, long before the Bolshevik revolution in Russia, and before Nicolai Lenin became a world figure.

Nicolai Lenin represented one of the four or five Russian parties, and I represented the American Socialist Party, at the old International in Brussels. He expressed the views of the extreme left wing, while I stood for the doctrines of the social democracy.

Nicolai Lenin did not convert me to communism, and I did not convert Lenin to social democracy. As a matter of fact, neither of us tried.

#### SO-CALLED WORKERS' PARTY ORIGINATED FROM A SPLIT IN 1919

Now, to begin with, I believe a man has a right to be a communist if he believes in communist theories. He has as much right to be a communist as Pierpont Morgan has to be a Republican, or A. Mitchell Palmer to be a Democrat.

But as for the Communist or Workers Party in America—well, I know something about that also. I ought to know. It originated in 1919 by a split from the Socialist Party. The seceders were mainly members of the foreign language sections, who believed that the red streak they saw in the east of Europe was the dawn of a new day for all humanity, whereas it simply meant "good night" for Russian czarism.

#### WAS KEPT GOING BY MITCHELL PALMER'S "SECRET SERVICE"

And the organization of the communists was very much accelerated by the contemptible way these fanatics were treated by the Department of Justice under A. Mitchell Palmer, whose secret service men acted as "agent provocateurs" and often wrote their platforms.

The outcome was the so-called Workers Party, which is supposed to have received some money from the Bolshevik Government in Russia. The Workers Party could not have received

very much because the Workers Party was in clover only while the "agent provocateurs," of the Department of Justice, kept up its organization. At the present time, it is as near nothing as is A. Mitchell Palmer's reputation for honesty.

At that time, however, for some reason or other, Charles E. Hughes also got scared and seemed to believe that the Bolsheviks, unless stopped, would put the "red flag" on the White House.

#### CALLES PROTESTED AGAINST COMMUNIST PROPAGANDA

But to come back to Mr. Kellogg's documents.

It is hard to see how he can make out a case of Bolshevism against Mexico. All that Mr. Kellogg has to show is Chicherin's statement that he wished the American Workers Party would make propaganda in Mexico against American imperialism.

But Calles, the President of Mexico, protested against the communist pretense to use Mexico as a basis for any kind of propaganda.

Moreover, our State Department must have known of the protest because just two days after the Calles protest, the Associated Press reported it from Mexico City.

#### KELLOGG'S MEXICAN DOCUMENTS ANNIHILATE KELLOGG'S THEORY

Mr. Kellogg's so-called evidence consists in resolutions by Russians in Moscow or American communists in Chicago—saying that they would like to combat American imperialism in Mexico. Anybody who has any idea as to how prolific are the communists in resolutions—would not pay the slightest attention to evidence of that kind. It is unmitigated trash.

But at the end of Mr. Kellogg's statement given to the Senate committee, what do we find? We find three Mexican documents. And these are the only three.

All of them are protests against any attempt to use Mexico as a base for communist propaganda.

Especially strong is the protest of the Mexican Federation of Labor to the Russian ambassador against his giving moral and economic support to the communistic group—"enemies of the Mexican Federation of Labor and of the Mexican Government."

Are we to go to war about that?

#### POLICY IS IMPERIALISTIC AND—STUPIDLY SO

The only case that Mr. Kellogg seems to make out is—that the Bolsheviks are opposed to American imperialism.

Are we to go to war with Mexico because a few Bolsheviks preach opposition in Latin America to our imperialism?

There can be no question that the present policy of the United States in Central America is imperialistic, and stupidly so.

#### THE EFFORT TO ESTABLISH ORDERLY PROCEDURE BY TREATY

Let us first consider our actions in Nicaragua.

The policy of the United States in dealing with revolutions in Central America was defined in the Washington treaty of 1924, which was signed by Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador.

The United States did not sign that treaty; President Coolidge himself points out, however, that the treaty was made in Washington, under the auspices of our Secretary of State, and that therefore the American Government has felt a moral obligation to apply its principles in order to encourage the Central American States in their effort to prevent revolution and disorder.

The main principles of that Washington treaty is that no recognition will be extended to anyone who achieves power by virtue of "a revolution against a recognized government." The purpose evidently is to back the forms of constitutional government in Central America—in the hope that eventually orderly procedure will become fixed.

#### DIAZ IS THE BENEFICIARY OF THE CHAMORRO REVOLUTION

Now, let us see how our State Department has lived up to these principles.

In October, 1924, Salorzano and Sacasa were elected President and Vice President of Nicaragua. There was no question of the legality of their election, and recognition was granted to them. Ten months later the American marines were withdrawn from Nicaragua, and within two months a revolution, led by General Chamorro broke out. There was the situation the treaty condemned.

What did our State Department do? It kept its hands off.

It refused to intervene to save Salorzano and Sacasa; but when they were overthrown they refused to recognize Chamorro because he had achieved power by a revolution against a recognized government.

All this was perfectly correct so far.

But while the State Department adopted the theory of non-intervening in the case of any help wanted by Salorzano and Sacasa, it abandoned this theory when it came to dealing with Diaz.

Now, who is Diaz?

Diaz was one of the most active partisans of Chamorro, the revolutionist. Diaz is now President only because Chamorro overthrew the legally elected Government. Diaz is the ultimate beneficiary of the Chamorro revolution, and our marines are now in Nicaragua upholding his authority.

The question is, How can the United States Government justify nonintervention to save Solorzano and Sacasa, who were legally elected, and at the same time justify intervention to protect Diaz, who is the direct beneficiary of the kind of revolutionary movement our Government has solemnly announced it would not tolerate?

#### DIAS REIGN UNCONSTITUTIONAL FROM EVERY POINT OF VIEW

The claim of Diaz to the Presidency rests upon an alleged election to that office by Congress.

There are two vital objections to this claim. First, the body holding the alleged election was not the legal Congress of Nicaragua; second, that even the legal Congress would have had no authority to make such an election.

The revolutionary forces under General Chamorro expelled the Liberal members of Congress, who, together with the anti-Chamorro Conservatives, constituted a majority of that body, and filled up the vacancies with Conservatives without a vestige of title to such position.

#### ALSO MILLIONS OF AMERICANS OPPOSED TO THIS IMPERIALISM

But to get back to Mexico, which I think at present is the crux of the matter.

I ask again, Are we to go to war with Mexico because Bolsheviks in Chicago and Moscow preach opposition in Latin America to our imperialism? There are millions of Americans opposed to the imperialistic policy of our State Department. And I am one of these millions.

And this may be the proper time to say a few words about imperialism and colonies, which are closely interwoven with imperialism.

#### COLONIES IN ANCIENT TIMES

In olden times, when two nations went to war with each other—and in those days, at the beginning of civilization, nations usually meant city nations—the victor nation would kill most of the vanquished and enslave what was left. The victors usually took possession of the lands and distributed the acreage among its victorious soldiers. That was the custom in the Roman wars. And these soldiers who got the land which was taken from the enemy were called "colonials."

Commercial nations, however, like the Phoenicians, did not as a rule start their colonies by conquest. They were satisfied to acquire land for trading posts, and to do business by bartering—buying and selling—with the tribes in the surrounding territory.

At the time of the downfall of the Roman Empire, Rome had by its method of colonizing—and by the colonists marrying and mixing with the natives—practically Romanized the then known ancient world, as far as Britain to the north and North Africa to the south.

When the various German tribes broke in and made an end to the Roman Empire, this event also meant a certain type of colonization. The victors usually took two-thirds of all the land and gave it to the German tribesmen. One-third was left to the natives, the Germans forming a sort of feudal nobility. This was generally the case in Italy, France, Spain, and Great Britain. Thus new nations were formed—the Italian, the French, the Spanish, and later the English.

After that no colonists were sent out of Europe for a thousand years.

#### THE EFFECT OF THE TURKS TAKING CONSTANTINOPLE AND ASIA MINOR

And then came the discovery of America.

Trade and manufacturing had expanded in Italy and Germany, and also in the Flemish cities, on a large scale. Since the Crusades considerable commerce, especially in spices and silks, had developed with the Far East and particularly with India. That commerce was entirely in the hands of Venetians and Genoans and other Italians, who got their wares through Constantinople and Asia Minor. This trade was interrupted by the Turks breaking into Europe and taking possession of the Near East and Constantinople.

European sailors were therefore looking for a way to India that would not compel eastern commerce to pass through the Turkish domain. Especially the Spanish in those days seemed to be interested in that respect, not only as traders but also as devout Christians looking for converts, marching with the sword in one hand and the cross in the other.

Spanish sailors discovered America.

#### COLONIES SINCE THE DISCOVERY OF AMERICA

The Spaniards were poor colonizers, however. They were mainly after gold, silver, and slaves. As soon as they had

conquered most of the New World and made Christians of those poor Indians, the Spaniards set them to work in the mines as slaves. The Spaniards themselves were satisfied to rest on their laurels.

I will not go into a detailed history of all this, only to say that Spain very quickly lost all the advantages of having a world empire. And they soon lost even the empire, after having had some unpleasant experiences with Holland and France, and finally and definitely when England became the mistress of the seas.

Both the Spaniards and the French were poor colonizers. The Spanish mainly because they were brutal exploiters and murderers and because they had not the faculty of developing the lands in their possession.

France failed because the French very readily mix with the native population and form a race of half-breeds, as, for instance, in Canada or even in Indo-China.

Thus the English became the great colonizers of the West. The German race did not figure in this, because most of the religious wars were fought out on German territory during all that time.

#### THE MEANING OF "IMPERIALISM"

And now a few words about the meaning of imperialism.

The word "imperium" in Latin signified the world rule of the Roman Republic.

For a little while during the sixteenth and seventeenth centuries it seemed that Spain would rule the world. Even little Holland and Sweden held the "imperium" for a short period, nevertheless only England could claim to be a world power during the last 150 years, especially after the downfall of Napoleon I.

But the term "imperialism" as it has been used in an economic sense the last 100 years is only very loosely connected with imperialism in a political sense.

#### UNDER PROFIT SYSTEM PRODUCERS CAN NOT POSSIBLY BUY BACK WITH THEIR WAGES ALL THAT THEY PRODUCE

The basis for economic imperialism is as follows: Under the capitalist system, which is also called the profit system or the wage system, no workman employed in a factory or a shop for wages gets the full value of his product. The employer must make a profit or the employer would have to go out of business. The more profit the employer can make the more successful he is as a business man.

Thus it comes about that the producers of a nation as a whole under the present profit system can not possibly get enough pay for their products to be able to buy back with their wages what they have produced, and yet these producers form the bulk of buyers of the nation. There is a surplus of products in every civilized country where the wage system prevails that must look for a market elsewhere. That is practically the case in western Europe and in the United States—and of late also Japan, since Japan accepted our capitalist civilization.

And remember this surplus production is growing very rapidly with the improved machinery and as machinery improves. It is getting increasingly harder to get a market anywhere. And markets we must have, because under the present system we are not producing for use, but for sale—producing only for those who can buy.

In other words, while there can be no doubt that workmen and farmers could use all the surplus—or at least most of it—if they had the means with which to buy, our workmen and our farmers can not do so.

#### THE STRUGGLE FOR WORLD MARKETS, HIGH TARIFFS, AND CONTROL OF BACKWARD NATIONS

That surplus production must look for markets elsewhere then. But where?

Every civilized country, or at least every country that is highly developed industrially, is in exactly the same fix.

The English capitalist class and the French capitalist class and the German capitalist class and the Belgian capitalist class, and so forth—all produce more with their improved machinery than any of them can sell in their own country. They all look for foreign markets.

To a certain extent they could exchange their products, of course. But there is the rub. Most of these countries put up high tariffs. They want no foreign imports to come into their own country, because then they would produce still less and their own people might be unemployed.

Thus it comes about that except for certain products of which this or the other country may have a monopoly for some reason or other—as, for instance, rubber, coffee, potassium, and so forth—the surplus production must be thrown into the world market, where all compete with each other. Every civilized country is



continuously on the lookout for new markets; they look for them in Asia, Africa, South America, and wherever there are backward peoples who can not produce these things themselves.

#### ABOUT EXPORTS, MISSIONARIES, AND WARS

According to official figures the United States exported in 1926 products to the amount of \$4,753,000,000. In 1925 Great Britain exported about \$3,865,000,000 worth of products, while Germany exported that year about \$1,500,000,000, France about \$2,162,000,000, and Belgium about one-third of that of France.

In order to stimulate the demand for their products they sent out missionaries to make Christians out of African savages, in order to make them ashamed of going without trousers or shoes or hats or other things of which civilized nations have a surplus.

Not so long ago England even had two wars with China—one in 1839-1842 and another in 1863—because the Chinese Government refused to permit the smuggling of opium from India into the Chinese Empire. The English won the wars, and the drug that was considered poison in England was poured into China at the rate of 1 ton per hour for 12 hours every day for some 60 years, until the Chinese revolution in 1911 brought the traffic to an end.

#### WHERE "OIL BLESSINGS FLOW" RIVALRY MOST VIVID

This is only one aspect of economic imperialism. But the other and probably more important side of economic imperialism is the search for raw material—oil, metals, rubber, lumber, and so forth.

These savage, barbaric, or backward peoples are in possession of very valuable lands—excellent for agriculture or covered with wonderful forests, or containing valuable minerals, and, above all, containing oil—oil which has become one of the greatest assets of the present day. Capitalist nations will stop at nothing to get a hold of such lands.

#### THE DOUBLE ROOT OF IMPERIALISM UNDER THE CAPITALIST SYSTEM

And there is also this: In every civilized country the capitalist class is looking for fields to profitably invest the surplus capital of which I have spoken before. Because capital which is not profitably invested very soon ceases to be capital.

Thus these capitalists—especially English, French, German, and American capitalists—who have been looking around with vigilant eyes for chances to invest their capital watch these undeveloped areas and are eager to make use of them. That is usually done first by "concessions." They get the right or the privilege to build railroads, operate mines or oil wells, to start big ranges, to plant fruit trees, banana trees, sugar cane or pineapple plantations, according to the nature of the country.

So we have a double source of imperialism. One is the continued profitable disposal of the huge output of surplus commodities of all industrially developed nations. And the other is the necessity of commanding the sources of supply of the raw materials for these industries and also to invest money profitably in undertakings.

#### BRITISH IMPERIALISM HAS CHANGED ITS ATTITUDE

Now, as long as Great Britain had a natural monopoly of the raw materials and of the markets of the world, British manufacturers and merchants were rather indifferent as to the growth of the British Empire. There were even some British economists and politicians who regarded most of these colonies as rather useless incumbrances, involving an expense on the British taxpayer.

But with the increasing competition and with the entry of the manufacturers and merchants of the United States and of Germany, and even of Japan, into the world market, this point of view changed.

#### PACIFIST IN 1847—WARLIKE IN 1897

Thus, for instance, John Bright, a cotton manufacturer in Manchester in the middle of the nineteenth century—a period when British cotton goods had the undisputed control of the markets both in England and abroad—was a pacifist. John Bright was also a convinced free trader, an antimilitarist, and a radical leader.

But Joseph Chamberlain, of Birmingham, his successor in the leadership of the radicals, although he had just established a monopoly of screws in Great Britain, 50 years later was just as convinced that pacifism was a fallacy, and he was even willing to consider a high tariff. He said:

The empire is commerce. It was created by commerce, it is founded upon commerce, and it could not exist a day without commerce. For these reasons, among others, I would never lose the hold which we now have over our great Indian dependency—by far the greatest and most valuable of all the customers we have or shall ever have for England. For the same reasons I approve of the continued occupation of Egypt; and for the same reasons I have urged upon the British Government the necessity of using every legitimate opportunity to ex-

tend our influence in that great African continent which is now being opened up to civilization and commerce; and lastly, it is for the same reasons that I hold that our navy should be strengthened until its supremacy is so assured that we can not be shaken in any of the possessions which we hold or may ever hold hereafter.

That speech was made in 1897.

#### FINALLY OPEN THREAT AGAINST GERMANY IN 1906

This powerful but crude imperialism of the leading British statesman of that time was reinforced by the more polished utterances of Lord Milner, for instance—who, together with Cecil Rhodes, was largely responsible for the Boer War. Lord Milner said in an address to the Manchester Conservative Club in 1906:

You can not have prosperity without power. We Britons of all people depend for our very life not on the products of these islands alone but on world enterprise and commerce. This country must remain a great power or she will become a poor country. \* \* \* But greatness is relative; physical limitations alone forbid that these islands by themselves should retain the same relative importance among the vast empires of the modern world which they held in the days of the smaller states—which England held before the growth of Russia and of the United States—which England held before united Germany made those giant strides in prosperity and commerce, which have been the direct result of the development of military and naval strength.

And, as a matter of fact, we all know that when in the first six months of 1914 German world trade became as large as the British the World War did not delay.

#### THE FLAG MUST ALSO PROTECT THE MONEY LENDER

I have spoken of economic imperialism mainly as to its selling and producing aspects, but there is also this to be considered:

When capital has accumulated in large fortunes, when the rate of interest is beginning to fall at home, then our capitalists discover that there are many uncivilized races, or even races who have a very ancient civilization, that are weak and can not defend themselves—all of whom can be more easily exploited than the fellow citizens at home. Then the export of capital to such countries becomes much more attractive to the profit-making capitalists than its use for the extension of manufacturing facilities at home.

Now, if the adage is true that trade follows the flag, then the flag must also follow the money lender and protect him.

#### BARBARIAN MUST BE TAUGHT HONESTY—WITH THE HELP OF GUNS

There is also this: These backward peoples have a moral code of their own. And they do not enter willingly into lasting business relations with civilized men.

Our business men will tell you that it is therefore necessary for the purposes of trade and culture that these backward nations, or ancient nations, be compelled to live up to such rules of conduct as will make trade possible and lucrative for civilized white men who had invested their money.

To this end ships, marines, and an army and navy are indispensable.

A warlike front becomes necessary all the time. And armaments and warlike demonstrations have become a part of the regular apparatus of business, so far as business is concerned with the world market.

#### SOME DATA AS TO OUR FOREIGN INVESTMENTS

Now, as to American foreign investments.

We are told by Stuart Chase in the New York Times of June 27, 1926, that—

Not far short of 25,000,000,000 American dollars are to-day reposing in lands outside the territorial boundaries of the United States.

In 1900 we had only \$500,000,000 invested abroad, the bulk of it in Mexico, Canada, and Cuba. In the same year foreign investors had the equivalent of some six or seven billion dollars in American enterprises.

During the next decade our own investments abroad increased sharply. In 1909 they aggregated two billions, in 1913 two and one-half billions, half of it in Latin America and a quarter in Canada.

Then came the war. From a debtor Nation we turned suddenly into a creditor Nation, with a prodigious balance on our side of the ledger.

Figures prepared by the finance and investment division of the United States Department of Commerce bring up the grand total for loans of private citizens to foreign governments and investments in foreign undertakings to \$9,522,000,000.

#### "AMERICA FOR THE AMERICANS"—I. E., FOR THE AMERICAN CAPITALISTS

In this the Western Hemisphere leads, with investments of 71 per cent of the grand total, Canada holding 27 per cent and Latin America claiming 44 per cent, or more than twice the total for Europe, and five and one-half times the aggregate for Asia and Oceania.

We Americans believe evidently in our own half of the map, for we have put 71 per cent of every \$100 invested in America outside of the United States.

And this must continue.

"OUR" INVESTMENTS IN MEXICO—MANY INTERESTS BESIDES OIL

In view of these figures, it is also of great interest to know how much American money we have invested in Mexico and by whom it is invested.

American property in Mexico is estimated to be worth approximately a billion and one-half dollars.

Oil lands, refineries, and appurtenances constitute the bulk of the property. They are worth about \$500,000,000.

Mining and smelting account for another \$300,000,000; plantations and timber, \$200,000,000; railway holdings, \$100,000,000; manufacturing enterprises, \$60,000,000; merchandise stores, \$50,000,000; street railways, power companies, telephones, and whatnot, \$10,000,000; and "concealed interests"—partnerships in concerns which have Mexican or other foreign names, and so forth—another \$250,000,000.

The "big five" American companies in the oil business are dominated by Standard Oil. This controls the "Continental," also the Huasteca Co., formerly owned by E. L. Doheny.

Another of the "big five" is the Freeport-Mexican, controlled by Harry F. Sinclair; Mexican Gulf, owned by the Mellon family of Pittsburgh, and the Texas Co. (Ltd.) are the fourth and fifth.

The Guggenheims, owning the American Smelting & Refining Co.; the Phelps-Dodge Co., of Arizona, controlling the important copper mines; the American Metals Co., operating around Monterey and headed by Morrow, partner of J. Pierpont Morgan; and the Green Cananea Consolidated Copper Co., controlled by the copper king, John D. Ryan, and John D. Rockefeller, jr., are among the most important mining concessions.

The Ryan-Rockefeller outfit owns the famous Anaconda, of Butte, the greatest copper concern in the world.

Among the big American landowners in Mexico are Harry Chandler, publisher of the Los Angeles Times; William Randolph Hearst, of the Hearst newspapers; John Hays Hammond, prominent engineer; J. O. Jenkins, United States consular agent who was kidnapped by Mexican bandits a couple of years ago; and George Carnahan and Charles Sabin, New York bankers, and others.

By scanning these names—and this list is by no means complete—one can readily see why all this agitation about Mexico and where it originates at the present time.

IT IS A PITY THAT THE STRUGGLE WITH ROMAN CATHOLIC CHURCH CAME JUST NOW

It is unfortunate, of course, that just at present the Mexican Government is in a bitter struggle with the Roman Catholic Church, trying to separate church and state in Mexico, as church and state has been separated in every civilized country. This makes the position of the Mexican Government much more precarious and adds the voices of the Catholic Church dignitaries, of the Knights of Columbus, and of the Catholic papers to those that are clamoring for our interference in Mexican affairs.

WHAT IS LIKELY TO HAPPEN IF THE CAPITALIST PROGRAM CAN BE WORKED OUT IN REGARD TO MEXICO

To sum up the situation as it appears to-day—

First. The United States is not much interested in Nicaragua, per se. Those canal rights—the canal is still only a paper canal—no one will take from us, for the simple reason that no one is strong enough. Moreover, Mexico had better justification for recognizing Sacasa than we have for recognizing Diaz. Nicaragua is not the issue, anyway; Mexico is the issue.

Second. Our Government is using Nicaragua to force a showdown with Mexico. Basic irritations are over Mexican policies toward American interests—oil and land primarily. The Roman Catholic Church is only secondary. Nicaragua, however, provides the "external issue."

Third. Communistic plottings in Mexico and Latin America are of no account, although the irritation to our Government is increased by similar reports from "secret agents" in the Philippines, China, and other countries. And Kellogg evidently likes to believe these ghost stories.

Fourth. We seem headed toward precipitating a revolution in Mexico to overthrow the Calles government and to substitute a reactionary government which would assure the property rights of American capitalists in Mexico.

Fifth. Such a revolutionary movement is already definitely organized. It is generally directed by its leaders from the United States—Washington, Los Angeles, and El Paso. American capitalists owning industries and land in Mexico are its

principal supporters. Their candidate for the presidency is De la Huerta, now in the United States. His program is to suspend by military decrees the 1917 constitution, which is objectionable to the "interests," to substitute temporarily the 1857 constitution, and subsequently to call a new constitutional convention that will serve American vested property rights.

Sixth. Lifting of arms embargo would precipitate that kind of a revolution. Mexican revolutionists already have some arms and munitions, most of which were smuggled from the United States. Sacasa also got his arms in this way from New York.

Seventh. Regular war between the United States and Mexico is improbable. Naval and military forces would be used "to protect American interests" against "revolutionary chaos," and to help Huerta after he is recognized by the United States.

Whether this program can be carried out in its entirety I very much doubt, even though this is a capitalist world and the United States is the foremost capitalist country in the world.

LOGIC OF IMPERIALISM—THE WORLD TO THOSE WHO CAN MAKE THE BEST USE OF IT

And now we ought to consider in a few words the question of imperialism from a purely historical point of view.

There are those who point out that all colonization in America, especially also in the United States and Canada, was imperialistic to a large extent, since the land had been taken away from Indians who had possessed it.

Others point to the fact that, after all, the earth belongs to humanity as a whole, and especially to those who can make the best use of it.

And that, therefore, it is foolish and silly to let some wild tribes, or a more or less barbaric or backward nation, occupy hundreds of thousands of square miles of land which they can not and would not put to good use, and keep the land more or less vacant, while there are 300 to 400 inhabitants to a square mile in England or Germany or Belgium.

120,000,000 TAKING THE PLACE OF HANDFUL OF INDIANS—AND CONSIDER ALSO THE RESULT OF FORMER IMPERIALISTIC WAR WITH MEXICO

These historians say that there are to-day 120,000,000 people living in a high state of civilization in the United States, while there were never more than 500,000 Indians at any time living as hunters on the same territory.

We are also told that while the war against Mexico, waged against President Santa Ana in 1846, was undoubtedly one of the least justifiable our country has ever waged—unless it was our entry into the World War—still the result of the Mexican War made it possible to carve out six States, among them California, part of Oregon, Colorado, Oklahoma, and so forth. There are more people and they enjoy a much higher civilization in every respect than would the inhabitants had they remained with Mexico.

BUT COLORED RACES ARE WAKING UP

These are philosophical problems which I can not solve. They involve the question as to whether human beings are happier under a complex civilization, with its many wants and duties, or happier leading the simple life of a backward nation.

And there is also this to be said:

The uncivilized or less civilized parts of the globe are mostly in the hands of the colored races. And these races are beginning to wake up. The World War has taught them a few things. Especially, also, that a bullet fired out of a modern rifle by a colored man is as deadly as when fired by a white man.

They have also learned how to use the power of the boycott and are using it effectively in India and China against the English—and the Spanish-speaking peoples will use this weapon against America.

FASCISM AS DEFENSE OF CAPITALISM WILL NOT WORK FOR ANY LENGTH OF TIME

Moreover, there is social disaster threatening in every civilized country.

Italy, which is itself a sort of industrially backward country, has temporarily staved it off by organizing the Fascisti to subjugate the proletariat by open violence. In our country the danger is more remote on account of colonial conditions still prevailing. But even here we find private armies everywhere organized as detective agencies who serve under various pretexts, mainly as deputy sheriffs.

WE WANT NO VIOLENT CONVULSIONS IN CIVILIZATION

But remember, gentlemen, if you believe in property as a creed, so is communism a religion for those who believe in it. You can not kill ideas with a club. And you can not keep up the present system the moment the great mass is persuaded that



it has outlived its usefulness and that it is the enemy of the happiness of mankind.

The Communist Party is absolutely insignificant. And the communist theories may be ever so wrong; but if you keep on persecuting the communists sufficiently, you will make heroes and martyrs of them.

And when the battle will be on in earnest, it will be a struggle like the religious wars, but it will be waged with a ferocity, a self-sacrifice, and a persistence that will make the religious wars of the seventeenth century seem like little riots by comparison.

I do not want any violent convulsions. I want to see a socialist commonwealth grow out of the present economic and political conditions by natural evolution.

#### THE PROFIT IDEA IS NOT AN ENNOBLING IDEA

But there can be no doubt that after a whole century of trying out the dictatorship of the capitalists for the purpose of private gain it has failed to commend itself to the judgment of the democracies throughout the world. Whatever one may think of the motive of profit-making being indispensable for business, no one will dare say that it is a high motive or a noble aspiration.

Everybody will agree that it does not lead to the production of art or beauty, that it is inimical to friendship, and that profit-making is not the parent of love.

Even the keenest profit maker instinctively resists the introduction of the profit motive into his own family relations. There he wants the opposite principle to prevail.

#### IF NORTH AMERICA IS TO BECOME A UNIT—LET'S TRY "PEACEFUL PENETRATION"

And to come back to the Mexican situation. Suppose it is written in the stars that there shall be only one economic and political unit on this continent from the North Pole to the Panama Canal, is there only one way to accomplish this? Can this be done only by using brutal and ruthless force against weak and defenseless neighbors? Is there no such thing as peaceful penetration?

#### IF OUR CULTURE IS HIGHER—LET'S PROVE IT

Does the highest culture of the white race consist in making dollars and investing them with the largest possible profits? Is this our destiny?

If our culture is higher than that of our neighbors, let us prove that in a cultural way.

I am against the policies of our State Department and shall use all civilized and humane means to oppose them.

Mr. HARRISON. Mr. Chairman, I yield two minutes to the gentleman from Georgia.

Mr. UPSHAW. Mr. Chairman and gentlemen, "If I Were King" is a story as unique in concept as it is inspiring in presentation. It starts a train of beautiful imaginings in the mental make-up of every thoughtful, romantic spirit, "What would I do if I were king?"

"If I were President" starts a somewhat similar train of thinking with every American of subjective and objective genius. What a shaking up and waking up and breaking up of certain objectionable persons and measures and things—things that are shakable and breakable—if some of us were President only for a day.

But right now I think I would rather be a United States Senator for a day than anything else I know—especially that black day of national insult when that august body will be asked to ratify a thousand years of national barbarism by signing the so-called Lausanne treaty—that international compact wisely declared this week by Rabbi Stephen A. Wise to be—

the most shameful surrender of decency and humanity ever proposed to the American people through the United States Senate.

A brilliant newspaper man further said:

Among the astounding things demanded of America is the shocking proposal that we shall ratify a treaty with Turkey and grasp in amity the blood-reeking hand of Kemal Pasha.

This demand, I remind you, comes from sordid trade and is but another exemplification of "dollar diplomacy" which leaves entirely out of the reckoning all humane considerations. It appears to be ready to condone wholesale murder, rapine, pillage, and every other kind of nameless and shameless infamy.

This treaty is the consummation of the subtle diplomacy of a dictator as cruel as Tamerlane, as vicious as Ivan the Terrible, and as infamous as Genghis Khan on his pyramid of human skulls. This monster exacted from a war-weary world a diplomatic agreement which reflects dishonor upon every civilized nation that was a party to it. Everywhere it was heralded as "a Turkish victory." And after inducing the parliaments of the Old World to accept it, big business, cold

commercialism, and even some representatives of so-called religion unite in trying to induce America to part from her lofty ideals by making Turkey an international guest at the table of all civilized nations.

For hundreds of years it has been the dream and purpose of Christendom to drive back the barbarian hordes of Turkey and prevent that country's cruel persecutions of subject Christian peoples. Christian leaders of all nations have promised deliverance, especially to Armenia and to the Greeks who live under the authority of this monster nation, and to other white God-fearing people who have for a thousand years suffered indescribable horrors through the remorseless use of fire and sword and every other means of barbarous persecution.

#### TRADING WITH THE "UNSPEAKABLE TURK"

Now, those who want to trade with this "unspeakable Turk" would have us forgive and forget even though he has shown no repentance, has promised no reforms, has given no guarantee for better treatment of Christians, and has shown himself to believe just as much in massacre and outrage as any Sultan that ever sat upon the throne of the Moslem Empire. It is with this man of blood and horror that big business would have us unite our interests. It is to this man of unrepentant infamy that some alleged Christian leaders and emasculated educators would have America reach out the hand of international fellowship.

We broke with Mexico some years ago because of an offense by that nation against our interests and against what we declared to be the good faith of a nation favored with our recognition. But the offense of Mexico, when compared with the atrocities of Kemal Pasha, was trivial indeed. Nevertheless, big business and moral cowardice demand that we make a treaty with this murderous tyrant. Let no man speak of a "New Turkey." The same barbarous, bloody ideals rule the so-called "Turkish Republic" that blackened the sickening annals of the Ottoman Empire. We should never have entered into diplomatic or consular relations with such a national monstrosity.

Under the barbaric reign of Kemal Pasha millions of Greeks and Armenians have been ruthlessly slaughtered. He looked calmly on while thousands of delicate Christian girls were outraged. He applied the torch on the least provocation or merely to gratify an unholy lust for plunder and destruction.

And now packers who want to sell their goods in Turkey, oil interests who want to get the Turkish commodity, and a few alleged preachers of the Gospel who have forgotten the glory of martyrdom and hence make friends with a fiend, want us to condone all these offenses and receive Kemal Pasha into the brotherhood of nations. Lest I may be accused of an intemperate and unjustifiable use of language in characterizing this dictator and the Government of which he is the head, arms, and legs, I offer the testimony of Bishop Manning, that scholarly head of the Episcopal Church of New York. Here is what he says:

#### BISHOP MANNING'S OPPOSITION

We oppose the Lausanne treaty because ratification of it in its present form would be a dishonor to America. It disregards obligations which rest upon our Government; it ignores the claims of those who have a right to look to us for friendship and support; it countenances and condones the inhuman deeds and policies of the present Turkish Government. It has not been the habit of our country to give countenance and support to the persecutor and oppressor.

Could there be a stronger indictment than this? As the bishop says, when we ratify this treaty we condone the fearful atrocities of the present Turkish Government. We ratify the murder of more than 2,000,000 helpless white Christian peoples, and we place our stamp of official approval upon many thousands of outrages upon maidenly virtue. It is this shocking and wholly indefensible thing that America is asked to do; and, strangely enough, the greatest parliament in the world is asked by some so-called Christian missionaries to condone acts of outrage and violence against virtuous wives and pure maidens simply because they were white women and Christians. In another place Bishop Manning says:

But we must remember that these missionaries are placed in an exceedingly difficult situation. Their schools have been completely Turkified. They are not allowed to teach or even mention in them the religion of Jesus Christ. They have been compelled to abandon the primary purpose of their mission, and have become practically employees of the Turkish Government.

Of course, such missionaries and teachers, who can not subsist without the approval of Kemal Pasha, have been misled into signing any document approving the treaty. They are compelled to do so. Their jobs, their very lives, are in peril. They are no longer conducting American or Christian institutions;

they have been absorbed into the Turkish system, and must obey Kemal Pasha. Naturally, they cling on to their school property and to homes where they have labored long, but they would a thousand times better go to some land where they can preach and teach the Christianity they profess. There are some shining illustrations of Christian heroism, as heroic as any that ever lighted up the ages with the martyr fires of the saints.

The thrilling story of the Bishop of Smyrna has few equals for martyrdom in all history. He was urged to go to a safe place when one of the most terrible massacres that has blackened the history of Turkey was in progress. He was urged not to return to the seat of carnage and outrage, but his loyal, heroic answer was, "Where my flock is there I must be."

This great and good man was dragged out into the maelstrom of blood and death, his limbs were torn from his body, his eyes were gouged out, and he was left on the field a shapeless mass of flesh and blood. And now the oil interests, the tobacco interests, and other callous commercial interests are asking America to condone acts of brutality of which this was the climax of infamy.

#### WOULD WIPE OUT THE BLOODY SLATE

It is a well-known principle of international law that a treaty of mutual recognition wipes the slate clear of all past offenses. So that if we ratify this treaty we can not call upon the Turk to offer any kind of reparation for the injuries which he has inflicted upon helpless humanity. Surely we can rise above the dictates of sordid greed or miserable fear and reject with scorn the overtures made by a nation stained for centuries with the blood of millions of Christians, murdered by former Sultans or by the authority or connivance of this new and unreformed dispenser of lustful barbarism, fire, and sword.

#### CHRISTIAN GIRLS STILL HELD IN HAREMS

While some of the advocates of this shocking treaty have the effrontery to say that no Christian girls are now in Turkish harems, Bishop Manning says he has direct information from bishops of the Church of England that 200 Christian women had been rescued from Turkish harems during the past year, while many are yet imprisoned. They were in reality bought out of these abominable places of vice. They had been forcibly taken into them. And in spite of all this, big business unites with some "Turkified" Americans in urging the ratification of a treaty which would give Kemal Pasha a place of honor beside the civilized nations of the earth. But whether there be thousands or even hundreds of Christian girls yet enslaved in Turkish harems, no truly civilized American can knowingly vote to ratify such barbarism.

What is the use—

Asks Henry Morgenthau, one of the ablest men in the diplomatic service of the United States and for some years ambassador to Turkey—

of making any treaty with a government which has no respect for the sanctity of international agreements?

Then Mr. Morgenthau proceeds to tell of the Smyrna massacre and outrage. In his own words:

#### SMYRNA MASSACRE DESCRIBED

On September 9, 1922, Kemal's troops took possession of the city. On the 13th they set the Christian quarters on fire and looted and murdered mercilessly, ravished and enslaved maidens and matrons indiscriminately. Nearly 300,000 terror-stricken and helpless men and women and children fleeing from murder and raging walls of flame huddled promiscuously along the quays, sandwiched in between the flames and the sea, while Kemal's troops by day and by night tore girls of tender age from their parents and carried them into slavery and shame. I think the United States Senate even before considering any treaty with Turkey should summon a few of the eye witnesses of the horrible tragedy of Smyrna.

Among the eye witnesses to this terrible crime Mr. Morgenthau mentions Dr. George Horton, who was then our consul general; Wilfred M. Post, until recently director of the American hospital at Constantinople; C. Claffin Davis, chairman of the disaster committee of the Red Cross, and a number of others.

Bishop James Cannon, jr., of the Methodist Church, South, who has spent much time on the ground, writes as an eye witness.

#### BISHOP CANNON HAS BEEN THERE

In his book entitled "What I Saw in Turkey in 1926" Bishop Cannon says:

The spirit that was displayed at Smyrna, Lausanne, and Mosul is now in absolute control at Angora: it is brutal, intolerant, and chauvinistic. Masquerading as a "republic," the Government of Turkey is in reality an irresponsible military dictatorship. Fear, suspicion,

and despair brood upon the faces of the people. Nothing is certain nor secure—neither person, property, nor laws. Freedom is the monopoly of the dictator.

The Turkey of Kemal is as bankrupt morally as was that of the Sultan; physically, it is but the shadow of the latter. The power of the Sultan rested upon the loyalty and fanaticism of the Moslems and upon the administrative talents and economic productivity of the Christians; Kemal has alienated the former and eliminated the latter. His reign of terror depends upon control of the army, which can be counted on only so long as it is paid, and consumes nearly all the revenues of the Government. Capricious and oppressive taxes are the order of the day. The country is bled white and is in a state of desolation and disintegration. \* \* \*. (From an article in this book entitled "What I saw in Turkey in 1926," by Bishop James Cannon, jr.)

#### And listen to these ringing nonpartisan declarations:

WOODROW WILSON (DECEMBER 13, 1923)

\* \* \* I had already seen the paper [collective memorandum against the treaty, signed by 100 citizens] about the Lausanne treaty which you were so kind as to send me in your letter of December 11, and was very glad, indeed, that you and those associated with you had undertaken to show the Senate the iniquity of that treaty. It is, indeed, iniquitous, and I sincerely hope that your protest will be effectual.

PRESIDENT-ELECT HARDING (DECEMBER 27, 1920)

I am in favor of the United States addressing identic notes to the Allies and Turkey insisting upon the execution of the Wilson award to Armenia, and have requested Senator Lodge to so advise the State Department.

PRESIDENT HARDING (NOVEMBER 10, 1922)

\* \* \* Everything which may be done will be done in seeking to protect the Armenian people and preserve to them the rights which the Sevres treaty undertook [Wilson award] to bestow.

SENATOR RALSTON (FEBRUARY 27, 1925)

In common with the vast majority of Americans, I have been shocked beyond expression by the atrocities committed on the Armenians, as well as by the wrongs done to our missions, schools, and hospitals in Turkey, in flagrant violation of the treaty obligations.

I agree with President Wilson and President Harding that the Armenians are entitled to independence, and I certainly can not regard the oil concessions received by American interests as any compensation for the principles and rights sacrificed by our diplomacy in this proposed (Lausanne) treaty.

And that stalwart student of world problems, Samuel Gompers, great Hebrew-American friend of humanity, says:

#### AMERICA AND ARMENIA

By Samuel Gompers

I am in thorough accord with the thought that the United States should do its utmost to bring about fulfillment of that portion of the Sevres treaty relating to Armenia.

Unquestionably the United States owes a moral duty to the Armenian people, who fought for and with the Allies, who suffered untold agonies in that struggle, and who were promised a national existence and the protection of civilization.

If there were no other obligation or issue than that arising out of the World War our moral duty would be clear and binding, but there is much more to the matter.

Success for the Turk at this time may, and quite likely will, mean much more than the destruction of Armenia. In the fate of Armenia at present, it seems to me, is involved the whole question of oriental pressure against the occidental world.

We may draw our national skirts about us and say that it is none of our business and that we can get along without meddling in the affairs of Europe and Asia, and if we are so minded we can get along for the present. That is, we can get along in a material way. Every moral delinquency, however, leaves its mark; and, in addition, we can not permit a wrong of this kind to happen anywhere without ultimately having its effects visited upon us.

We have a duty to Armenia. We also have a duty to civilization. If Armenia is left to the mercy of the Turk—and there isn't much remaining to be left to anybody's mercy—America will have, as Ambassador Gerard says, morally stultified herself.

Likewise America will have blinked at a weakening of the bulwarks of civilization. Why is it that Bolshevik Russia is helping the Turks? For the reason that the present policy of the Turks is laid so as to play the Bolshevik game of weakening the civilized and democratic peoples of Europe.

So, whether our Government fulfills America's moral obligation or not at this moment, ultimately we shall feel the effects of the outcome of the present crisis in the Near East.



In an editorial in the Washington Post, callous with commercialism and cruel in its judgments, the claim is made that "Young Turkey" is worthily trying to work out its own internal problems, and therefore deserves a place at the table of international fellowship. Turkey is doing no such thing. The barbarism of the Armenian and Greek massacres under the very eye of Kemal Pasha belies every frowning pussy-footing effort to defend this Turkish brute. That same editorial says that Bishop Manning has been the victim of certain Armenian propagandists!

In God's name, why not? Armenia was, one time, a populous and prosperous nation, rich in literature and the achievements of science and invention. To-day, through the torch, the sword, and the brutalizing harem of the barbarous Turkey, Armenia is almost breathing its last national breath. This brave little Christian nation furnished 200,000 soldiers on the side of the Allies, and we promised her independence and security. We have gone back on our sacred promise. Harold Spencer, writing to Lord Curzon on this matter, quoted Cromwell on the massacre of the Vaudois: "To be indifferent to such things is a great sin, and a deeper sin still is to be blind to them from policy and ambition."

If a brute were to outrage your sister, would you for the sake of trade and future amicable relations invite that unspeakable brute to dine with you?

This treaty would never be considered except for commercial considerations. And verily, what shall it profit America if she gain the whole world and lose her own soul? [Applause.]

Mr. HARRISON. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman, the President rashly rushed to the defense of the American oil interests in Mexico and mineral and land interests in Nicaragua. For a number of years American agriculture has been facing disaster, a shrinkage of \$20,000,000,000 in the agricultural wealth of our Nation, but the President has never rushed to the defense and protection of the American farmers. He proposes to use the Army and Navy of the United States and moneys taken from the American people by taxation to defray the expense of our adventures in Nicaragua and ultimately in Mexico. He proposes to draft the wealth and man power of this Nation to defend the concessions of American financial buccaneers who are exploiting the people of Nicaragua and their national resources.

Mr. STEPHENSON. Will the gentleman yield?

Mr. LOZIER. Yes.

Mr. STEPHENSON. Does the gentleman say that he proposes to draft wealth?

Mr. LOZIER. Incidentally, and only so far as it may be necessary to carry on the war of aggression.

His slogan seems to be "Millions to protect the property of big business in Nicaragua and Mexico, but not any funds from the United States Treasury to stabilize the prices of agricultural commodities or to defend the agricultural classes from being broken on the rocks of economic disaster."

The efforts of Secretary Kellogg to link the Government of Mexico with the Bolshevik régime in Russia is both amusing and ridiculous.

It is a libel on a friendly nation that for more than a century has been passing through the no man's land that lies between despotism and free, stable government.

If the charge made by Secretary Kellogg against Mexico had been made against a first-class power, it would have resulted in a breach of diplomatic relations and the precipitation of hostilities. The United States would not have had the temerity to make such a baseless accusation against any nation that had the military strength to resent such an unprovoked insult.

The President and Secretary Kellogg are holding up the Bolshevik bogey and the socialist bugbear, when every well-informed student of affairs well knows that Bolshevism has been unable to get a foothold in Mexico; and, moreover, the existing Mexican Government has unequivocally rejected and condemned Bolshevism as antagonistic to freedom and stable government. Bolshevism has not found lodgment and will never be able to secure a foothold in the Western Hemisphere.

The United States is in no danger from socialism or Bolshevism. In America the laboring, commercial, industrial, agricultural, and professional groups are all united in their opposition to Bolshevism and to socialistic propaganda.

It is ridiculous—yes, pathetic, for anyone to seriously contend that our institutions are being menaced by socialism or Bolshevism.

But there are some things that are tolerated and encouraged in the United States which will ultimately tend to breed social-

ism, Bolshevism, and unrest among the American people among which I mention:

Unrestrained monopolies that plunder the people and which are created and sheltered by class legislation and special privilege; corruption in our Federal and State Governments; sacrifice of our national oil reserves; Elk Hill and Teapot Dome scandals; Daugherty, Miller, and their alien property coconspirators, unwhipped of justice; Fall and Doheny, notwithstanding their confessed guilt, acquitted and turned loose to continue their exploitation and plunder of the American people and their national resources [applause]; corruption in presidential and senatorial elections; bidding millions for presidential and senatorial nominations, a system similar to that followed in the decadent period of the Roman Empire, when the praetorian guard auctioned off the royal purple and sold the exalted position of Emperor to the highest bidder; the economic injustice and discrimination to which the agricultural classes are being subjected in order to enrich the industrial and commercial classes beyond the dreams of avarice; ever increasing social injustice to which the masses are subjected in order to satisfy the greedy appetite of the privileged classes for unearned wealth; these things, gentlemen, are a menace to social order and national tranquility; these abuses will inevitably breed socialism and Bolshevism among the American people; these economic wrongs, these and other social injustices will incubate and stimulate a spirit of unrest and discontent that will presage ill for the future of this Nation; these things, and these things alone, threaten our future.

And yet the President seems oblivious to these vexatious abuses and untoward internal conditions which, if not corrected, will inevitably breed socialism and Bolshevism.

The real danger to our institutions is not from without, but from within. The propaganda of the Russian Bolshevik proletariat does not menace our free institutions or threaten our social order nearly so much as the abuses and economic wrongs that I have enumerated. [Applause.]

While it is inconceivable that Latin America will ever succumb to the blighting influences of Bolshevism, still, if every Republic between the Rio Grande River and Patagonia should become the seat of Bolshevistic power, our free institutions and our stable government would not be menaced. But every well-informed student of world affairs knows that socialism and Bolshevism will never be accepted or tolerated by the nations of North America, Central America, or South America, and by conjuring up this Bolshevistic bugbear, the President and Secretary Kellogg are using the cuttlefish plan of muddying the waters in order to cover up their imperialistic policy and program of conquest. The American people are expressing their hostility to the military program of the President, and if the President is wise he will respond to the overwhelming sentiment of the masses and reverse his policy of aggression toward the Latin-American Republics. [Applause.]

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The committee rose; and Mr. MERRITT having taken the chair as Speaker pro tempore, a message, in writing, from the President was communicated to the House by one of his secretaries, who also announced that the President had approved and signed House bills and joint resolution of the following titles:

On January 12, 1927:

H. R. 14827. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes.

On January 14, 1927:

H. R. 13452. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co. to construct, maintain, and operate a railroad bridge across the Wabash River;

H. J. Res. 303. Joint resolution to correct a misnomer contained in the act to fix the salaries of certain judges of the United States; and

H. R. 11515. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Minneapolis the silver-service set in use on the cruiser *Minneapolis*.

On January 15, 1927:

H. R. 13016. An act granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundred and sixth Street, in the city of Chicago, county of Cook, State of Illinois;

H. R. 13067. An act granting the consent of Congress to the State of Montana, or Roosevelt County, or McCone County, in the State of Montana, or either or several of them, to construct, maintain, and operate a bridge across the Missouri River at or near Wolf Point, Mont.;

H. R. 14239. An act granting the consent of Congress to Meridian & Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River at or near Nalicola, Ala.; and

H. R. 14688. An act granting the consent of Congress for the construction of a bridge across the Waccamaw River in South Carolina.

#### WAR DEPARTMENT APPROPRIATION BILL

The committee resumed its session.

Mr. HARRISON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 23 minutes remaining.

Mr. HARRISON. I yield to the gentleman from North Carolina [Mr. ABERNETHY] three minutes.

Mr. ABERNETHY. Mr. Chairman and Members of the House, the purpose of my appearance before you to-day is to bring to the attention of the House and the country the meritorious service of a warrant officer of the United States Coast Guard and the crew of the Coast Guard vessel 2217 for the relief of sufferers of the devastating hurricane that struck the Florida coast but recently. I refer to Chief Boatswain's Mate Samuel E. Leary, whose home is within the confines of my district at Lowlands, Pamlico County, N. C.

Such splendid service as was performed during the stress of storm and suffering was not done with the hope and expectation of any reward, but merely in the line of duty and on account of loyalty to the service in which he and his crew were engaged. [Applause.]

It is with pleasure that we note that this loyal and efficient service has been highly commended by Rear Admiral F. C. Billard, Commandant of the United States Coast Guard. I take pleasure in reading into the Record the letter of Admiral Billard, so that the world may know that this Government of ours appreciates and commends loyalty and efficient service whenever performed in line of duty. [Applause.]

The letter is as follows:

From: Commandant.

To: C. B. M. (a) Samuel E. Leary (via commander Gulf Division and commander Section Base 19).

Subject: Commendation—work performed at time of hurricane.

1. Capt. H. G. Hamlet, in command of the special squadron for relief of sufferers of the devastating hurricane that struck the Florida coast on September 18, 1926, has advised headquarters that while engaged in the relief work you and the crew of the CG-2217 performed excellent service.

2. Headquarters is gratified to receive this testimonial of the loyal and efficient service performed by you and the crew of the CG-2217, and I take pleasure in commending you.

3. A copy of this letter will be filed with your record at headquarters.

F. C. BILLARD.

Mr. BARBOUR. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman, one single death in New York City during the holidays from drinking wood alcohol has resulted in thousands of front-page, wet-propaganda, scare-head stories throughout the United States.

This propaganda was so artistically disguised that many newspapers did not recognize it as such, and probably the average reader thought a new plague had visited our country.

#### ALCOHOLIC FACTS

What are the facts?

Nondrinkable alcohol is essential to the industrial life of the Nation. It is necessary in the manufacture of some one or more finished products in practically every line of industry. Chemistry must use it in a thousand different ways. One hundred and five million gallons were used last year.

To relieve ordinary drinkable alcohol of its high tax; to make it undrinkable and to make it cheaply available for industrial uses has been the effort of all industrial nations.

Since 1855 Great Britain has denatured her alcohol for industrial use by addition of wood alcohol, which is a deadly poison.

Deaths from the occasional use of this compound occurred; but Great Britain, with the common knowledge of all her citizens, doubled the amount of wood alcohol. Great Britain has no prohibition law, but she still poisons her industrial alcohol by the addition of methanol or wood alcohol.

Industrial or poisoned alcohol was authorized by law in the United States of America in 1906, over the protest of prohibitionists, 14 years before we had national prohibition.

Canada with her modernized liquor laws requires the addition of 30 per cent wood alcohol to completely denature her industrial alcohol.

European countries add 10 per cent and the United States 9 per cent.

This denatured alcohol has nothing to do with prohibition. Alcohol is denatured or made undrinkable or poisonous so as to relieve it of a heavy tax and thus render it available for industry—varnishes, textiles, embalming fluids, antifreeze mixtures, dyes, and so forth—at a very low price.

#### WHY WOOD ALCOHOL

Why is wood alcohol used in industrial alcohol?

Because it readily combines with ordinary or grain alcohol and does not interfere with its industrial use and because the old-time blind pigger nor the present-day bootlegger can separate the grain alcohol from it, and because of its offensive odor and disagreeable taste, which serve notice to all that they are meddling with a deadly poison.

Unfortunately the present-day bootlegger is willing to try the impossible—is willing to try to remove the wood alcohol from his concoctions, and his patrons are willing to pay high prices for his dangerous chemistry.

Old-time familiar labels are no longer dependable. They, too, are counterfeited and often embellish a deadly poison. Still bootleg patrons are willing to wager their eyes or their lives that a known criminal is telling the truth about his liquor.

#### NOT NEW CUSTOM

The drinking of industrial alcohol in one form or another is not a new custom and is not chargeable to prohibition. I recall the horrible but prompt death of several young men in my home town 25 years ago from drinking industrial alcohol. There were 15 wide-open saloons in that town at that time.

I also recall cases of partial or total blindness in the long ago from the use of industrial alcohol.

Toadstools are eaten by the unwary.

Clotheslines are used by would-be suicides.

Empty guns cause many deaths.

The foolhardy motorist tries to beat the express train over the crossing.

The tippler may well remember industrial alcohol and bootleg liquor made therefrom are in the same class with embalming fluids and horse liniment.

#### POISON LIQUOR

One death from wood alcohol or poisoned liquor during the holiday season in all New York City! To that summer down the sensational figures spread broadcast by the enemies of prohibition, picturing hundreds of deaths of innocently credulous patrons of the bootlegger who believed the fake label on his bottle and drank his industrial alcohol. The crowded morgues, the hundreds of funerals, and the overworked undertakers did not exist. Neither did the fatally poisoned liquor. They were the gratuitous inventions of the wet press and the press agents and political henchmen of the brewers. Not since Falstaff's cowardice multiplied his imaginary host of "men in buckram" has such a monumental hoax been foisted upon the American people.

The advance propaganda of this wet attack began immediately after Christmas. The following headlines then appeared over stories in the papers named:

Eleven in city killed by holiday liquor. (Telegram, December 21, 1926.)

Four new rum deaths; 20 more die in Bellevue; 760 die here in year. (World, January 1, 1927.)

Poison Christmas liquor kills 11. (American, December 29, 1926.)

One hundred and ten stricken by poison booze; 21 of them dead. (Evening World, December 27, 1926.)

A wanton assault was made upon the Government, accused of responsibility for these imaginary deaths from poisoned alcohol, since it follows the uniform custom of all civilized nations and adds certain denaturants to ethyl or grain alcohol in order to make possible its cheap and tax-free use as a raw material in industry. I repeat, other nations use from 10 to 30 per cent methanol or wood alcohol for this purpose. The United States uses from 4 to 9 per cent. This practice was begun under the law in 1906, long before prohibition, and was not the result of the eighteenth amendment.

These attacks upon the Government of the United States as guilty of killing people who were never killed at all are illustrated by the following headlines from New York newspapers:

United States is blamed by Doctor Gettler. (American, December 29, 1926.)

United States alcohol mixture is deadly and blinding, say leading chemists. (Evening World, January 6, 1927.)

United States will continue to poison liquor. (Evening Journal, December 29, 1926.)



In the hope that their attack upon the practice of denaturing alcohol, to the annoyance of the bootlegger, would result in its discontinuance, the New York press published stories with these captions:

Poisoning of rum abolished by Mellon. (Telegram, December 30, 1926.)

Mellon bars poisoning of alcohol. (American, December 31, 1926.)

Instead of confessing the misstatements involved in these reports, the press stated the intention of the Government to continue the present proper and necessary denaturing of industrial alcohol, but gave the news this sensational and misleading head:

United States begins doubling alcohol poison. (January 2, 1927.)

The usual wet attack upon every effort to enforce the prohibition law was forecast by the newspapers under these big-letter lines:

Poison-rum fight reaches United States Senate. (American, December 30, 1926.)

Senate orders poison-alcohol data. (Evening World, January 4, 1927.)

Antipoison rum bills up to-day. (American, January 3, 1927.)

Edwards seeks Senate probe of poison alcohol. (Evening World, December 29, 1926.)

There was just one death from wood alcohol or poisoned alcohol of any kind whatever during the holidays, as I will show by quotation of the official survey made in New York City.

Dr. Thomas A. Gonzales, assistant medical examiner in charge of the morgue, performed autopsies on these first seven cases referred to by the press:

Of these seven, Doctor Gonzales said, four were killed by drinking (ordinary) ethyl alcohol in too great quantities, one died of delirium tremens, another of pneumonia as the result of exposure while intoxicated, and the seventh was struck and killed by an automobile while intoxicated.

In all of the seven autopsies only one body showed any trace of actual poisonous alcohol, Doctor Gonzales said. Although large quantities of alcohol were found during the autopsies, tests showed it was grain or ethyl alcohol, and that death in most cases had resulted from the quantity of the alcohol in the system rather than the quality.

Of course, other deaths occurred from the excessive use of bootleg alcoholic drinks, but only a fraction of the deaths that occurred from alcoholic causes in the old days.

The charges that wood alcohol or methanol poisoning was responsible for deaths was abandoned by the press, apparently, after the failure to discover cases in which this was a cause of death. Other denaturants were then attacked.

This wet propaganda might be ignored, possibly, if its effect were not so far-reaching. It not only disturbs the prohibition group, which is almost wholly made up of a very high type of people, quickly responsive to any suggestion that wrong or injustice is being done. It also affects our business fabric. So much of our present manufacturing is based on the use of industrial alcohol that the possibility that industrial alcohol may cease to be denatured and, as an inevitable result, cease to be tax free is mischievous and unsettling.

The Oil, Paint, and Drug Reporter, the official organ of that trade, discusses this problem in three editorials in its issues of August 16, 23, and 30, 1926, without bias for or against prohibition. Viewing the situation purely in its industrial and practical aspect, this journal says:

#### INDUSTRIAL ALCOHOL IS NOT A FAULT OF THE PROHIBITION LAW

Tax freedom in the industrial use of alcohol was secured 20 years ago, after a long and bitter struggle against the fanatics who will not admit that this useful ethyl compound is anything but a beverage. The act of Congress which exempted industrial alcohol from the revenue tax did more than perhaps any other one influence to make possible the progress in chemistry that has been made in the United States since 1906. The leadership which other countries previously had held in organic chemical production and in the application of chemistry to a number of major industries was in no small part due to their earlier realization of the un wisdom of taxing an industrial raw material. Slow to learn, because not industrially minded (no matter what names may be called in international reference to the United States and its people), this country, once the opportunity offered, was quick to take advantage of it. To-day it has the leadership which, handicapped by a tax on industrial alcohol, it never would have gained, not even under the peculiar advantages of the period of the recent World War.

To get tax freedom in the industrial use of alcohol it is considered necessary in all countries to require that alcohol, to be exempt, must be combined with other substances which, while not impairing its usefulness, will render it unfit for consumption as a beverage. This require-

ment is fundamentally a matter of revenue assurance. Its purpose is to prevent the curtailment of governmental income through the operations of crooks. It has no purpose relative to protecting fools from the penalty of their folly. Such a purpose is not the basis of law or regulation. It is in an asinine lack of reason, therefore, that a campaign has recently been launched attacking the industrial alcohol law as governmental connivance in the slaughter of those who are so foolish as to drink denatured alcohol.

In view of the fact that the fight against industrial alcohol twenty-odd years ago was waged chiefly by the opponents of the beverage use of alcohol, it might be considered peculiar that the present attack has been launched by the opponents of prohibition. That is, it might seem peculiar were it not for the fact that for unreasonable, illogical argument and utter disregard of all rights and beliefs other than their own fanatical prohibitionists are equaled by none but fanatical anti-prohibitionists. Those who are behind the present movement to scare away the prohibition law know that they do not tell the truth when they say that the Government (which does not do the denaturing) puts poison in alcohol to kill those who drink it; that the addition of gasoline to a denaturing formula places therein a more deadly poison. But what is such an immaterial thing as fact?

Toadstools are eaten by the unwary. Foolhardy motorists try to beat express trains to a crossing. Thin ice and deep water take their toll of the careless. Clotheslines are used by would-be suicides. Methanol (wood alcohol) was drunk 20 years ago as much as it is to-day. Freeze-proof liquor for hydraulic jacks, embalming fluid, horse liniment, and hundreds of other poisonous compounds were used as beverages long before the idea of prohibition had 10,000 adherents. Industrial alcohol is no more intended for human consumption than were any of these "emergency liquors." Its manufacture is no more contributory to suicide than is the manufacture of rope. Industrial alcohol is no more at fault when a crook sells it as a beverage than are axes to be blamed because somebody used one to commit murder. Law is for persons, not for inanimate things.

Industrial alcohol is a necessity. It must be denatured with such unpotable substances as will not interfere with its employment in the arts. If the prohibition law has prostituted industrial alcohol, the fault lies with the law, and the fight should be waged against the law directly.

#### Editorial of August 23, 1926:

##### REASON AND KNOWLEDGE ARE ON THE SIDE OF INDUSTRIAL ALCOHOL

Of those who, in the extremity of their desire to demonstrate the futility of the governmental attempt to convert the people of the United States from the use of intoxicating beverages, have seen fit to assert the existence of a misalliance between prohibition and the industrial use of alcohol, the majority offend chiefly because of a lack of knowledge. They afford an excellent example of the necessity that those who seek legislative remedies for all public and private ills should work for a statutory requirement that no one should, publicly at least, discuss critically a subject on which he is not adequately informed. Of course, this would stop the mouths and pens of perhaps 90 per cent of the publicists and critics and of at least half the law-makers of the world. But would not that be a most desirable consummation? It might also serve a good purpose of conservation of trees and time by reducing the size of newspapers.

But the leaders of biased argument, particularly those who would have it believed that the Government of the United States has become as the fanatic Wahabis, who punish drinking or smoking by death, know better than they speak. They are acquainted with at least the fundamental facts in the whole case which they present with a strong bias. To gag them would be a more useful public service than to deprive their ignorant followers of the right of speaking freely, albeit falsely. To combat with a dissemination of facts the careless disregard of truth on the part of both leaders and followers is become a duty and a necessity for all industries that use alcohol.

Alcohol is essential to the industrial life of the Nation. It is necessary in the manufacture or the utilization of some one or more finished products in practically every line of industry, from the automotive to the textile. The fact that, to prevent infraction of some law designed for revenue or for restriction, it is necessary to require that alcohol for industrial use be denatured in a beverage sense, does not lessen the need or qualify the wisdom of supplying it. This was the premise on which the fight for industrial alcohol in this country was waged and won. It is no argument against the use of alcohol industrially that purposes in later laws, whatever their necessity, may have been made difficult or impossible of attainment because of failure of the authorized forces to prevent misuse of denatured alcohol or evasion of the industrial-alcohol law through diversion of alcohol withdrawn for denaturing. There can be no logical contention to that effect, nor does the result of this administrative failure controvert the necessity of placing every practicable safeguard about the assuring of industry's supply of an essential material. Reasoning otherwise is on a parity with contending that the use of lead compounds in paints should be regulated with regard for the fact that murder has been committed with leaden bullets. The industrial alcohol law and the

prohibition law have as little in common as to purpose as have the first and the tenth articles in the Mosaic decalogue.

Denatured alcohol has been in use for years. Methylated spirits was first authorized in Great Britain in 1855. It is still in use there, and nobody complains because it has been poisoned, even though deaths by misadventure, as the British designate them, from the drinking of this mixture of alcohol and methanol are not of infrequent occurrence in that country. The remedy for the condition arising in these untoward results of carelessness is sought there by means of a larger proportional addition of methanol or the introduction of other noxious substances—and Great Britain has no prohibition law to call for this "enforcement by poisoning." Apparently it is recognized by the people as well as the authorities of Great Britain that raspberry sirup or oil of orange will not safeguard the imperial revenues derived from the taxes on intoxicating beverages.

Industrial alcohol existed in this country (one of the latest to authorize its exemption from the revenue tax) for many years before the antiliquor amendment was added to the Constitution. It had earned and gained a place in everyday industry. It had to be denatured to get this place in the matter of cost, and denatured means nothing other than rendered unfit for consumption as a beverage. Everybody knew what denatured alcohol was years ago; the label must tell that. It was cheaper than alcoholic liquors then, but those who drank it did so because they were careless and not because it cost less.

The place of industrial alcohol was plainly recognized in the enactment of the law for the enforcement of the prohibition amendment. Congress specifically imposed upon the administrative officials the duty "to place the nonbeverage alcohol industry and other industries using such alcohol as a chemical raw material or for other lawful purpose upon the highest possible plane of scientific and commercial efficiency consistent with the interests of the Government." These same officials have been empowered to enforce the prohibitory sections of the Volstead Act. If they have fallen short of success in the performance of the latter duty it has not been because they have been too strict in their compliance with the mandate that they promote the industrial use of alcohol.

Editorial of August 30, 1926:

#### METHANOL APPROACHES THE IDEAL AS A DENATURANT FOR ALCOHOL

Methanol, which as a denaturant for industrial alcohol has especially been visited with the righteously assumed wrath of those who would involve the Government of the United States in "the greatest poisoning plot in the world's history," approaches the ideal as an agent for destroying the character of alcohol as a beverage. For this reason the act of June 7, 1906, which authorized tax freedom in the industrial use of alcohol specifically mentions methyl alcohol (now called methanol more effectively to differentiate it from ethyl alcohol) alone as a denaturing agent.

This designation of methanol as an authorized denaturant is supportable from every point of view tenable in the reasonable consideration of the case of industrial alcohol. Physically, methanol is so closely similar to ethyl alcohol that it does not impair the usefulness of the latter as a solvent, a fuel, and an antifreeze agent, or a preservative, when mixed therewith. A mixture of methanol and ethyl alcohol is so homogenous as to be inseparable without the most exacting and skillful manipulation in expensive, elaborate, and intricate apparatus. It is a constant boiling mixture which can not be broken up into its constituents by ordinary fractionating distillation. Methanol is poisonous, of course, but in the proportion in which it is present in even the most heavily methylated completely denatured alcohol its poisonous properties are not a bar to the legitimate use of the mixture under proper conditions. This mixture contains about 9 per cent of methanol. Canada required 30 per cent of methanol in its standard completely denatured alcohol. Ten parts of methanol to 100 parts of ethyl alcohol is the customary requirement in European countries.

The hazard of foolhardy, promiscuous drinking was recognized in the authorization of formulas for completely denatured alcohol long before conditions arose to aggravate it. No simple mixture of methanol and ethyl alcohol is authorized for general use in this country. All must contain at least one other ingredient which will facilitate the recognition of the unpotable nature of the liquid. In addition, it is required that the methanol used for denaturing purposes must be an unrefined grade with readily perceptible physical characteristics which differentiate it from ethyl alcohol. Even when disguised with colors, odors, and flavors, the presence of methanol in an alcoholic mixture can be readily detected by a simple chemical test.

Methanol, in the proportions required in denaturing, unquestionably destroys the character of ethyl alcohol as a beverage. It is, therefore, satisfactory in that respect. An idea of its suitability from the industrial standpoint may be got from the fact that specially denatured alcohol, formula No. 1, which is a mixture of 5 parts of methanol and 100 parts of ethyl alcohol, has been authorized for use for more than 236 industrial purposes; and special denatured alcohol, formula No. 3A, which contains a similar proportion of a more refined methanol, has been authorized in about 50 processes. But few of the other sixty-odd specially denatured formulas, with the exception of those which contain

methanol along with other agents, have been authorized for more than half a dozen purposes; none for as many as 30.

Efforts have been made in several countries to find a better denaturant than methanol for wide application in the industrial use of alcohol. In so far as we are informed, none of these has been successful, and methanol remains the most favored denaturing agent in all countries. Neither industry nor the Government in this country has found any reason to replace methanol as a general denaturant, and no reason has been presented in the recent ado about the horror of exposing drinkers to the risk of poisoning. It is, therefore, not likely that the authorization to use methanol as a denaturant will be revoked. To prohibit its use in such manner, before a suitable substitute is offered, would be tantamount, from an industrial standpoint, to repeal of the industrial alcohol law.

Another industrial publication, *Industrial and Engineering Chemistry*, in its issue of September, 1926, also analyzes the denaturing situation from the trade angle, thus:

#### BOOTLEGGERS VERSUS INDUSTRY

A recently circularized poster seeks the condemnation of methanol as an alcohol denaturant on the ground that it is a poison. It should be pointed out, however, that industrial alcohol is predicated upon denaturants satisfactory to the Government and to industry. The denaturants selected can not be those preferred by the bootleggers. The chemists' interest in the industries legitimately using alcohol concerns adequate supplies at reasonable prices and of such quality as may be found suitable for the work in hand.

Wherever a commodity is subject to legal regulations two groups become apparent. One seeks to enforce the law, the other to evade it. An example is to be found in connection with the enforcement of the Federal food and drugs act, where efforts were made so to adulterate food as to render detection impossible, and on the other hand, to perfect methods for the detection of any adulterants. A more extreme case is that of industrial alcohol.

The extent to which industrial alcohol is diverted into illegitimate channels is a point constantly argued, the most radical prohibitionists claiming diversion easily nine or ten times as great as that which officials believe to exist. Working with consuming interests, Government chemists have prepared a series of formulas for specific uses, and time after time such authorized formulas have been modified or entirely canceled when it became apparent that the bootlegging fraternity had found ways to eliminate denaturants to such an extent as no longer to interfere with their profitable trade. The legitimate industries have cooperated in these changes, often at a considerable sacrifice to themselves.

There are a few denaturants which the bootlegger does not like. He has found it very difficult, if indeed not impossible, to eliminate them satisfactorily. Few laymen appreciate the difficulties surrounding the legitimate use of alcohol, whether this be pure ethyl, specially denatured, or completely denatured alcohol. The chemical industry finds itself closely circumscribed by the absolute needs for its legitimate processes and the constant effort of the bootleggers to unscramble the ethyl alcohol from the material, which is authorized by special permit.

We deplore the poster's cry that the Government has a fanatical desire to kill its citizens. The percentage of methanol in American formulas has never approached the 20 to 30 per cent used in Great Britain and Canada, but it is conceivable that in time it may have to do so unless other satisfactory denaturants are devised. Methanol continues to be one of the most satisfactory denaturants from the standpoint of industry and the most objectionable from the standpoint of the bootlegger. Those responsible for the circular mentioned seek to arouse such sympathy for the man or woman who will risk life for a single drink as seriously to embarrass the chemical industry in its many ramifications. The arguments advanced in the poster are not sound. As it states, it is written, "Thou shalt not kill," but it is also written, "The way of the transgressor is hard," and "The wages of sin is death." It is well known that no government deliberately sets out to kill its people, and it is a well-established principle that when warnings have been given responsibility has been discharged; hence the poison label. So far as the Government, manufacturers, and users of industrial alcohol are concerned, the poison-labeled alcohol should not be misused any more than carbolic acid or any other poison.

As chemists it is our duty to stand by our chemical industry, and if there is objection to methanol as a denaturant the objection should be accompanied with constructive suggestions as to more ideal denaturants. Industry's self-interests should guarantee all possible cooperation.

#### NO KNOWN SUBSTITUTE

General Andrews, Assistant Secretary of the Treasury, in an interview in the *New York Times* of January 9, 1927, repudiated the Government poison propaganda and set forth the program and purposes of the Federal Government in part, as follows:

\* \* \* There is no known substitute for wood alcohol as a denaturant and we can not dispense with it until one is found. Several foreign governments have offered awards to no purpose.



Practically every other chemical so far used to render denatured alcohol offensive has been overcome in one way or another by the bootleggers. Wood alcohol alone outdoes them. And even this ingredient can be partly overcome in small quantities. Chemists are trying to find a nonpoisonous denaturant; one which shall be so noxious it will forbid drinking. We expect to find it; any day we may be successful. This is not a prediction, but some coal-tar product is likely to meet our needs. No one could then be happier than myself to see the persistent drinker freed of danger.

#### PROTECTION FOR WORKERS, TOO

We not only have the prohibition laws to enforce; we must protect industry from lawless aggression. And it is a matter of grave importance that industry shall have all the denatured alcohol it wants. Moreover, industry demands that the alcohol shall be rendered "unfit for beverage uses." Otherwise industrial workers would be constantly tempted. These facts appear to have been overlooked in the discussion. If we delivered pure grain alcohol to industry, a large part would disappear. Under existing conditions it is of the utmost importance that we continue to use wood alcohol.

Mr. HARRISON. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. ALLGOOD].

Mr. ALLGOOD. Mr. Chairman, to-day there is a feeling of unrest in the minds of millions of people throughout the United States. Last night many fathers and mothers throughout this land offered up their prayers for peace. To-morrow there will be a question in the minds of hundreds of thousands of young men as to what the future will bring.

They are looking to the President of the United States, the Secretary of State, and the Congress to see what we are going to do. As a Member of Congress I wish to see something done besides mere talk. I remember back in 1914, 1915, and 1916 how we sat idly by hoping that something would be done to avert war. Congress did but little to prevent it, and finally the conflagration caught us and we were drawn into the war.

I think the time has come when we should act, when we should do something, when we should do our part, and I am willing to make an effort, and to that end I have introduced a bill for the purpose of equalizing the burdens of war. That bill is as follows:

#### A bill to abort war

*Be it enacted, etc.,* That in the event of the declaration of war by Congress the President shall make a capital levy of 1 per cent on all the property (tangible and intangible) which is listed at that time in each and every county, municipality, and State for local taxes. In addition the President shall cause to be collected an annual tax on all incomes from whatever source derived from each and every person in the United States, with the exception of those who are serving in some branch of the military or naval service, on the following basis:

Five per cent on all incomes up to and including \$1,000; 6 per cent on all incomes from \$1,000 to \$2,000; 8 per cent on all incomes from \$2,000 to \$3,000; 10 per cent on all incomes from \$3,000 to \$4,000; 15 per cent on all incomes from \$4,000 to \$5,000; 20 per cent on all incomes from \$5,000 to \$7,500; 25 per cent on all incomes from \$7,500 to \$10,000; 30 per cent on all incomes from \$10,000 to \$20,000; 35 per cent on all incomes from \$20,000 to \$50,000; 40 per cent on all incomes from \$50,000 to \$100,000; 50 per cent on all incomes from \$100,000 to \$250,000; 60 per cent on all incomes from \$250,000 to \$500,000; 75 per cent on all incomes above \$500,000.

Said moneys must be used to pay for expenses incurred in the prosecution of war.

This bill may seem radical, but war is radical. If you will tell the profiteers that during the war we are going to take away their profits, they will not be so much interested in war or in Congress declaring war. Bernard Baruch, former chairman of the War Industries Board, said that the greatest resource that we have in this Nation is not man power, is not transportation, is not food, is not munitions, but is morale. If you let the soldier at the front feel that he is getting a square deal from his country while he is at the front fighting for \$1.10 a day; if he knows that the profiteer is not taking advantage of the country by piling up his millions, this will strengthen the morale of the Army and Navy and of every patriotic citizen of the country. If you will give me 100,000,000 people with a high morale, everybody bearing an equal burden of war, then no nation in the world can whip us or will ever attack us; but let the soldier go to the front at \$1.10 a day, with a rifle in his hands that has been fabricated back home by a man making \$15 a day, while the manager or owner of the factory is making \$10,000 a day, and you will see a lack of morale that will be hard to overcome. We should profit by some of the lessons taught by the World War.

What did we gain out of the World War? We fought the war to make the world safe for democracy. Have we made the world safe for democracy? No. The firing of a single gun started the World War. Who knows what a day will bring forth now? We should have some method or means of putting on the brakes and keeping agitators from arousing the war spirit. Are the ex-service men satisfied with the outcome of the last war? Let us see. Here is a letter I have just received, dated January 15, 1927. The writer of the letter says:

I hate to be a bother and annoyance to you, but I have from 1 to 10 callers a day, and around the first day or two of this year my office was crowded with ex-service soldiers, both white and black, asking me how they were going to get a loan on their adjusted-service certificates.

Mr. Chairman, the ex-service men are not satisfied with the bonus. The millionaires, even, are not satisfied with the outcome of the war. There was more propaganda put out in the Sixty-eighth Congress for the passage of the Mellon bill than for any bill that has been before Congress since I have been a Member of it. The Mellon tax bill tried to shift the burdens of taxation on to the coming generations.

My measure proposes to pay for the war while we go along, if we should have war, and not shift the burdens onto coming generations. We should pay for it as we enjoy it, if there is any enjoyment in it—and I can not see that there is any enjoyment in war except for those who use it as a vehicle for profiteering. I am sorry to say that there are those who use it as a vehicle for profiteering, because there are more than 12,000 people in the United States to-day who are millionaires who were not millionaires before the World War. I am a member of the War Claims Committee, and as a member of that committee I have seen, from time to time, evidences of profiteering and of graft which has grown out of the war. The Guntersville Democrat asks—

How many men of draft age in Marshall County are anxious to go to war with Mexico or Nicaragua? You may think it is a joke, but we are on the verge of war right now. Why do we make war on Mexico? To protect the property of Kuhn, Loeb & Co., Speyer & Co., Hallgarten & Co., Salomon & Co., Ladenburg, Thalmann & Co., Guggenheim & Co. None of these men are Americans, but are all liberal contributors to campaign funds. Are you willing to fight a friendly Republic to save these men financial loss?

The DeKalb County Herald has this to say in an editorial:

There seems to be a possibility of war with Mexico. The cause of this agitation should be thrashed out, and if it is found to be among the greedy ones who are seeking to fatten their purse upon the blood of the young men of our land, then the war clouds should be removed and our budding youth permitted to bloom.

Wars are never started by the men who have to do the fighting, and it is my opinion that the people—a great majority of the people of this Nation—do not want war. Again, I quote from another paper in my district, the Guntersville Democrat:

The big oil operators failed to drag us into war with Japan; then it appeared that only war could save our oil interests in Mexico. Now the oil owners are bending their power to involve us with Nicaragua. If we don't fight, the chances are that our capitalists may lose some of their holdings.

Gen. Hanson E. Ely, commander of the Army War College, estimates that from one-third to one-half of the \$23,000,000,000 war debt was profit.

It almost seems inhuman to think that men are so full of greed that they will take advantage of their country and their fellow men to such an extent as this in time of war, at a time when everyone should do his bit. We heard that expression used a great deal during the World War. Millions of patriotic people did do their bit and there were others who seemed to think that their bit meant to profiteer.

No one should be allowed to make profits out of the miseries, the sufferings, the spilling of blood, and the sacrifices of lives, all to the end that our Nation may survive and be perpetuated. Therefore, I am calling upon you to-day as Representatives of the people of this Nation to act, to pass my bill, so that the greedy ones may know that if war comes they will have to make sacrifices and bear the losses and the burdens in the same manner that the patriotic citizens do.

I have often heard it said that there are two things that are inevitable—one is taxes and the other is death. War means both—taxes and death.

The people who invested in oil in Mexico knew of the insecurity of the Mexican laws when they placed their money there. The Fort Payne Journal says:

If titles to Mexican oil lands won't withstand the scrutiny of the courts, wouldn't it be cheaper to try the "black-satchel" stunt? It is more effective than a war and more businesslike.

My contention is that if it is known throughout the length and breadth of this land that the present big property owners, the people who are now earning great incomes will be forced to pay the cost of war out of their properties and out of their incomes, they will not be so eager to incite our feelings. Public sentiment is one of the strongest forces and is the greatest power that produces action in this Nation to-day.

Our people are now bearing the costs of the World War, and as a result the living expenses for the necessities of life are greater than they have ever been in our history. If my bill should become a law the profiteers could not pass the burdens of another war on to the people. The profiteers would know that these burdens would be placed upon their pocket-books and their bank accounts; and pocketbooks and bank accounts represent tender places in our anatomy. I am free to confess I believe the passage of this bill would do more to prevent war than any League of Nations, any Bok peace prizes, or World Courts that might be organized. In the name of a hundred million peace-loving people, I beseech you to pass this bill. [Applause.]

Mr. HARRISON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, this is a bill that will appropriate over \$350,000,000 out of the Treasury for our Military Establishment, and we have on the floor at this time approximately only 25 members.

Mr. ALMON. Would the gentleman like to have a better audience?

Mr. BLANTON. No; that is the average attendance. I have noticed here during the last two weeks in this big Navy and big Army atmosphere the representatives of all of those who were specially interested in big armies and big navies very active here in Washington. Big shipbuilding companies have had their representatives here in the Capitol, and those interested in our navy yards and arsenals and munition plants have had their representatives here, watching to see that their interests were fully protected and safeguarded. Notwithstanding that, Mr. Chairman, under the splendid leadership of our colleague from Ohio, Mr. BURTON, the House was able to withstand the pressure and voted down the proposition of building the proposed three new cruisers. The Navy bill has gone to another body. Very promptly the committee having it in charge in that body has approved that big Navy program in respect to the three cruisers and made provision for those three cruisers in the bill. I predict that such provision will pass another body hardly without argument.

Mr. UPDIKE. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment. Then it will come back here, and what are we going to do about it? Are we going to sit here and let that program be thrust upon us or are we going to prepare for it and when it comes back here meet it like men and defeat it again?

Mr. UPDIKE. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now; I have very little time.

Mr. UPDIKE. But I will get the gentleman some more time.

Mr. BLANTON. The gentleman can not get me any more time because there is no more left.

I asked the chairman of this committee the other day how many officers and men we had in 1916, and how many we have now in the Army or the Navy. He was unable to answer. In 1916 the World War had been in progress for over two years, with this Congress here watching the situation. At that time, on January 1, 1916, we had in our Navy 2,738 officers, and on June 30, 1916, we had in our Navy 53,334 men.

That was when the World War was in progress for two years. What have we to-day in the Navy? On September 30, 1926, we had 8,531 officers in the Navy, and we had 82,910 men in the Navy, and we are providing an increase in the new naval bill.

How many officers and men did we have in the Army in 1916, with the World War in progress for over two years? We had in the Army June 30, 1916, 5,025 officers, and we had 182 scout officers. On June 30, 1916, we had 97,013 in the Army, and we had 5,603 scouts. Remember that we now have in the United States nearly 4,000,000 highly trained men back in civilian life, men who were trained during the World War, men who may be called upon in an emergency for the next 15 or 20 years, if you please. Yet to-day in the Army we had on November 30, 1926, 11,804 officers in the Army, and we had on November 30, 1926, 109,315 men besides 7,008 scouts. And yet this

committee, in order to bring up the enlisted personnel to correspond with top-heavy officers, has provided in this bill an increase of 3,750 men. Are we going to pass this bill just because the committee has thus brought it in? I am not going to vote for it. My vote is going to be one against it, and if we could get enough men here to vote their sentiments we would beat that proposition and bring this bill back to a normal situation. I predict that we representatives of the people, if we continue with this big Army and big Navy policy, are going to hear from the people sooner or later. The people are not in favor of it.

Let me call attention to the situation that exists in respect to medical officers in the Navy. I have these figures from a man who is well posted. He is one of our colleagues, and he is well posted on this situation. These figures are authentic and correct, because he looked the matter up and gave them to me. On September 30, 1924, in the Medical Corps of the Navy we had on shore 622 medical officers in the Navy, and at sea we had 159 medical officers. Most of the medical officers were on shore. Most of the medical officers at that time were "land lubbers," if you please—622 medical officers on shore and 169 at sea!

Mr. JACOBSTEIN. Would the gentleman want to send them to Nicaragua?

Mr. BLANTON. No; I want to put them back in civilian life. I want my professor friend to remember what my colleague from Texas, EUGENE BLACK, said here not long ago that if we did not watch out, and if we kept on passing these bills as they are brought in here, the first thing you know we are going to have half the people of the United States working to keep the other half on the pay roll of the Government. That is what is going to happen if you do not stop it.

Do you know, September 30, 1924, we had over twice as many medical officers in our Navy on land as the whole British Navy had put together? On September 30, 1924, the British Navy had only 397 officers in its medical corps, and we had on shore 622, and we had all together 792 medical officers, over twice as many as the British Navy had all together.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLAGUE. Mr. Chairman, I yield the remainder of my time on this side to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, I heartily concur in the observation made by the gentleman from Texas [Mr. BLANTON] that in the consideration of this most important bill, carrying \$300,000,000 of appropriations, the attendance at this time is indeed small. I noticed as an introduction to the consideration of the bill speeches have been made referring to the encroachment of the Budget Bureau on the prerogatives of this body. It all depends, gentlemen, on the bill before the House as to the attitude of some Members toward the Budget Bureau. The Budget Bureau is a fact-finding agent of the Congress and submits its findings for the consideration of the Congress. We either must decide at the very beginning of the session if we are going to disregard all recommendations of the Budget Bureau and provide the income for the Government accordingly or else consider very carefully the figures submitted by that bureau. I have noticed that when the appropriations are before us for the Department of the Interior, for the Agricultural Department, for the Department of Justice, the Committee on Appropriations stands pat and solidly back of the Budget recommendations. But recently, when the naval or military appropriation bills come before us, then there is a tendency to disregard the findings of that bureau and come in with the bill, entirely ignoring the recommendations made by the Bureau of the Budget, to say nothing of the "President's financial program."

Mr. JACOBSTEIN. Mr. Chairman, will the gentleman yield there?

Mr. LAGUARDIA. In just a moment. When the Committee on Appropriations comes before us with the recommendation for an increase in an appropriation bill over and above the amount recommended by the Budget, then I submit that the burden of proof is upon the committee to establish a case showing the necessity for the added appropriation. I do not know what mysterious influence the uniform has upon our Committee on Appropriations. I want to say this, however, that the subcommittee on the naval appropriation bill did stand back of the Budget recommendations, and unless the committee in charge of this bill can prove to the satisfaction of the membership of this House the urgent need of going six or seven or eight million dollars above the recommendations of the Budget Bureau in this bill, I do not believe that we ought to adopt this



bill as it now stands. Why, gentlemen, they have resorted to a very ingenious financial—

Mr. BLANTON. Juggle—

Mr. LA GUARDIA. "Juggle"; no, I will use the word "proceeding," to the effect that the total is just about that recommended by the Bureau of the Budget. I want to call the attention of the House to the fact that several million dollars are reappropriated, so that the total is seven or eight million dollars above that required by the Army in any real sense of the word.

But the gentleman from Texas [Mr. BLANTON] has placed his finger on the spot. He has said that you are building your Army and your appropriation bill around the 12,000 officers who are now in the active service. The National Guard is catered to, and why? Because the War Department—and when I say the War Department I mean the military end of the War Department, the General Staff—has built up a machine through the National Guard and the Reserve Officers Corps in order to get political support back home, necessary to approve a bill of this kind.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. BLANTON. I just want to call the gentleman's attention to the fact that we are providing in this bill for 105,000 reserve officers.

Mr. LA GUARDIA. Yes. Instead of the Regular Army getting good habits from the National Guard and the reserve officers, they are inoculating the National Guard and the Reserve Officers' Corps with all the bad habits of the Regular Army.

You may talk about the shyster lawyer who resorts to tricks and technicalities to protect a criminal; why, they have nothing on these financiers of the War Department, who so construe the law of the land and the language of the appropriation as to give them a meaning never intended by Congress.

For example, we provide allowance for quarters for officers and their families, the theory being that the officers are to live at a military post or on a reservation; and, of course, they have a right to live with their families and be provided for decently. Where we can not provide proper quarters, where the officer is on detached service, we allow him in lieu of quarters a quarters' allowance. Now, under that what has happened? The provisions for quarters' allowance has been so construed as to permit an officer to draw quarters' allowance when his family is living in a house belonging to the Government, supported by the Government, and heated and lighted by the Government, and he happens to be under canvas provided by the Government. They teach that lesson to the National Guard and the Reserve Officers Corps, so that when our National Guardsman goes to camp for 15 days and is living in a tent he puts in an allowance for quarters, heat, and light although he already receives that from the Federal Government.

I am going to show you a picture of a house that the State of New York has built for our major general of the National Guard, and notwithstanding the fact that he lives in that house, he draws and receives from the United States from \$400 to \$600 allowance for quarters.

Now, instead of teaching military science and strategy to our National Guard and Reserve Corps, that is what they are teaching, to put through trick vouchers which are technically within the law, but way beyond the intent of Congress. That is why your appropriation bills for the Army and Navy are piling up year after year. That is why, if we keep passing all these bills making exceptions for this and that grade, within three or four years your naval appropriation will be \$400,000,000 and your Army appropriation about the same. You now spend for the support of the Army and Navy something in the neighborhood of \$600,000,000. The other day in the independent offices bill we approved an appropriation of \$75,000,000 for the Veterans' Bureau, a necessary appropriation and direct result of war. We require about \$500,000,000 to pay the annual interest of our debt. We spend \$1,200,000,000 a year for military defense, taking care of war veterans and paying our war debt. It is time that we start to examine our military appropriations a bit more carefully.

#### MESSAGE FROM THE SENATE

The committee rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2301) authorizing the Shoshone Tribe of Indians of the Wind River

Reservation in Wyoming to submit claims to the Court of Claims.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 4537) to amend the Harrison Narcotic Act of Congress approved December 17, 1914, as amended, and for other purposes.

The message also announced that the Senate had passed the bill (S. 2839) for the relief of Capt. James A. Merritt, United States Army, retired, in which the concurrence of the House is requested.

The message also announced that the Senate had passed the bill (H. R. 16164) to amend the act entitled "An act to amend the Panama Canal act and other laws applicable to the Canal Zone, and for other purposes," approved December 29, 1926.

#### WAR DEPARTMENT APPROPRIATION BILL

The committee resumed its session.

The CHAIRMAN. The time of the gentleman from New York has expired. The Clerk will read.

The Clerk read as follows:

#### CONTINGENCIES OF THE ARMY

For all contingent expenses of the Army not otherwise provided for, and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators, and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval or authority of the Secretary of War and for such purposes as he may deem proper, \$12,000; *Provided*, That none of the funds appropriated in this act shall be used for the payment of expenses connected with the transfer of surplus property of the War Department to any other activity of the Government where the articles or lots of articles to be transferred are located at any place at which the total surplus quantities of the same commodity are so small that their transfer would not, in the opinion of the Secretary of War, be economical.

Mr. BLANTON. Mr. Chairman, I reserve a point of order against the language on page 5, in line 8, reading as follows:

And for such purposes as he may deem proper.

I want to ask the gentleman in charge of this bill what authority of law is behind such a provision as that—a blanket provision giving the Secretary of War authority to expend this money for anything in the world he may deem proper?

Mr. BARBOUR. Only for these contingent expenses; that is all.

Mr. BLANTON. It says:

For such purposes as he may deem proper.

Mr. BARBOUR. It goes on and first provides for contingent expenses and enumerates some of them, and then says in effect, "The Secretary of War may spend the money for each of them as he may deem proper." That refers to the items enumerated in the previous part of the paragraph.

Mr. BLANTON. No. It says, "where it is impossible to anticipate and classify." That is line 6. In other words, it is an attempt here to give the Secretary of War absolute authority, blanket authority, to spend the money for anything in the world that he wants.

Mr. BARBOUR. If the gentleman will pardon me a moment, the total appropriation is only \$12,000, and then there is an enumeration of the objects that it may be expended for, and then it goes on and says, "and for such other purposes as he may deem proper." The Secretary of War is given certain discretion, because some of these contingent expenses can not be foreseen and provided for in advance. That is why they are designated as contingent expenses.

Mr. BLANTON. My point of order is this, Mr. Chairman, that under the act creating the War Department it would be proper and done with authority, to appropriate money for any war purposes, but here is an attempt to deviate from the law and give the Secretary of War the right to spend it for anything in the world he wants to spend it for, whether it be for a war purpose or not.

Mr. BARBOUR. The construction would be, according to the rules of legal construction, that where in a paragraph you specify certain items and then put in a general clause it refers to articles of the kind that are enumerated before the general clause. That is the rule of legal construction.

Mr. BLANTON. We all know how far the Committee on Appropriations is going at this time in putting matters of this kind in bills. But if we knock them out here, when the bill gets over to the other side of the Capitol, such items usually are

put back in the bill and brought back here, and you can not vote them out in the House. Of course, I do not want to take up any more time when you can not stop it. But I wanted to call attention to it. I withdraw the reservation.

Mr. BARBOUR. I will say to the gentleman from Texas that this has been in the appropriation act for a long time.

The Clerk read as follows:

GENERAL STAFF CORPS

CONTINGENCIES, MILITARY INTELLIGENCE DIVISION

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for cost of special instruction at home and abroad, and in maintenance of students and attachés; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$60,000, to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes, shall apply neither to subscriptions for foreign and professional newspapers and periodicals nor to other payments made from appropriations contained in this act in compliance with the laws of foreign countries under which military attachés are required to operate.

Mr. BLANTON. Mr. Chairman, I make a point of order against the following language on page 6, beginning in line 8:

*Provided*, That section 3648, Revised Statutes, shall apply neither to subscriptions for foreign and professional newspapers and periodicals nor to other payments made from appropriations contained in this act in compliance with the laws of foreign countries under which the military attachés are required to operate.

For the reason that it is legislation unauthorized on an appropriation bill and seeks to change existing law.

Mr. BARBOUR. Will the gentleman reserve his point of order for just a moment?

Mr. BLANTON. The gentleman will not contend that this is not subject to a point of order?

Mr. BARBOUR. No; I will not contend that.

Mr. BLANTON. Because it is an attempt to change the law.

Mr. BARBOUR. I will state to the gentleman from Texas that this has been carried in the bill before, but whether it was carried before or not it was requested by the War Department because in buying these publications and magazines, which they need to inform themselves on various military activities, they are required to pay in advance for some of them, and this will permit them to do so.

Mr. BLANTON. And if the gentleman will investigate he will find the War Department has not been to our legislative committee seeking to change this law, but it comes to the Committee on Appropriations, and it is forgetting our legislative committees.

Mr. BARBOUR. The Committee on Military Affairs has reported a bill which would authorize it.

Mr. BLANTON. And it would do so if the War Department would come to that committee, but the War Department is forgetting our legislative committees, and they are going only to the Committee on Appropriations for changes in the law.

Mr. BARBOUR. I will state to the gentleman from Texas that they are not forgetting the legislative committee of which the gentleman from Michigan [Mr. JAMES] is acting chairman.

Mr. BLANTON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Salaries, office of Chief of Staff: For personal services in the District of Columbia, in accordance with the classification act of 1923, \$217,038.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 6, line 17, strike out the figures "\$217,038" and insert in lieu thereof the figures "\$212,538."

Mr. LAGUARDIA. Now, gentlemen, this is the first of the amendments which I intend to offer in order to keep this bill within the figures recommended by the Budget Bureau.

Neither the hearings nor anything that has transpired since the submission of the President's Budget message justifies this increase. While my amendment only makes a difference of \$5,000—and which would be insignificant if that were the only difference—commencing on page 10 the amendments will involve millions of dollars.

As I stated before, the bill is several million dollars above the real requirements of the War Department. If there is one man in this whole country who understands the needs of the Army, it is General Lord. He knows more about the needs of the Army than any other man in the country. Previous to the time he was made Director of the Budget he was the chief financial officer of the War Department. He has made more budgets and he has prepared more appropriation bills for the Army than any man living to-day.

I remember when I was on the Military Affairs Committee, before the Budget system was in existence, it was General Lord who prepared the appropriation bills for the War Department. His experience, his sympathies, his background, and his attitude all support the belief that he would not deprive the Army of a single cent or a single dollar that it actually needed. So any appropriation over and in addition to the Budget Bureau's recommendation can not be sustained, can not be supported, and which I charge are absolutely unnecessary and wasteful. In this instance it is only \$5,000, but the next amendment which I shall offer will present the real test.

I would like to hear what the committee has to say in justification of adding seven or eight million dollars to this bill. In one breath the officers who appeared before the committee tell you that they need 3,000 men, and in the next breath they tell you they have over 7,000 desertions a year. If they would only exercise a little common sense in their recruiting service they could cut down the desertions and more than make up for the 3,000 men they now ask for.

In one breath they tell you that they have horses 30 years of age and need more horses, and yet there is not a Member here on the floor of the House who does not know that we have sold hundreds of thousands of horses since 1919.

Mr. BARBOUR. That was seven years ago.

Mr. LAGUARDIA. That was seven years ago. How could you possibly have a 30-year old horse in the service?

Mr. BARBOUR. Some of them were in the service before the seven years.

Mr. HASTINGS. Why does the gentleman seek to reduce the amount \$4,500?

Mr. LAGUARDIA. That is in accordance with the Budget estimate on this item.

Mr. HASTINGS. I did not understand that.

Mr. LAGUARDIA. And there is nothing in the hearings, I want to say to the gentleman, that justifies this increase except it is just "deuces wild" all the way through this bill.

Mr. BLANTON. Where did the gentleman get that term? [Laughter.]

Mr. LAGUARDIA. From Congress—I have been here 10 years—or perhaps in the Army; I do not know which. [Laughter.]

Mr. BARBOUR. Mr. Chairman, I rise in opposition to the amendment.

I will state that this \$4,500 was put in this item to provide three clerks to assist in taking care of the work of the Organized Reserves in the office of the Chief of Staff. It was represented to our committee that this is very necessary work. At this time it is done by clerks who are regularly on other duty. General Summerall made a statement before the Committee on Military Affairs which, I think, entirely explains this particular increase of \$4,500, and, if the committee will pardon me, I will read it, because it explains just exactly what this is for, in General Summerall's own language. He says:

But there has been growing a very widespread feeling that they need an agency or a representative, an executive in the War Department specifically for them.

He is speaking of the Organized Reserves.

A few years ago when the movement started no one quite knew what it would develop into and how far it would go, but it has responded to our hopes in a most gratifying way. I think we have a body of men in this country in the Reserve Corps that is incomparably the finest element the Government has ever had for its national defense. It has a healthy attitude of citizenship toward the Government. In response to their desire, as well as to meet what we believe to be a real necessity of administration, the War Department is



going to establish such a representative or executive. He will be under the Chief of Staff and he will deal with the general staff sections in The Adjutant General's Office as the officer now at the corps area headquarters. The officer at corps area headquarters who represents the Reserve Corps deals with a corresponding agency there. They will need some clerical help and I apprehend it is going to become a very important office. It is not a bureau like the Militia Bureau and never will be and should never be, because the reserves are a part of the Regular Army, but they are a distinct part and I believe we need right off three clerks to carry on that work. So I ask for \$4,500 for the employment of these clerks in the office of Chief of Staff in connection with the establishment of this agency for the Officers' Reserve Corps.

This was the purpose, I will state to the gentleman, of putting this \$4,500 additional in this item—to provide for these three clerks.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. VINSON of Kentucky. As a matter of fact, there will be four less men employed than at present; is not that correct?

Mr. BARBOUR. The same number, if the amendment does not prevail.

Mr. VINSON of Kentucky. At page 61 of the hearings that is very clearly developed. There are 131 employed now, and there will be 127 employed under this bill.

Mr. LA GUARDIA. If the gentleman will yield, how many civilian employees have they now?

Mr. BARBOUR. In the office of Chief of Staff?

Mr. LA GUARDIA. Yes.

Mr. BARBOUR. We have 130 at the present time, and the estimates provide for 127.

Mr. LA GUARDIA. And now how many more will this \$4,500 provide?

Mr. BARBOUR. This will provide for about three more, or a total of 130.

Mr. LA GUARDIA. The gentleman does not mean to contend that three clerks more or less in the office of the Chief of Staff will mean the salvation or destruction of our Army?

Mr. BARBOUR. Oh, no; I do not contend that, but it will be a great convenience to the Organized Reserves and a real benefit in the administration of that activity.

Mr. LA GUARDIA. So says Summerall.

Mr. ALLGOOD. Will the gentleman yield?

Mr. BARBOUR. I yield to the gentleman.

Mr. ALLGOOD. What is the Budget's idea with regard to this increase?

Mr. BARBOUR. The Budget did not make any recommendation with regard to this. It was brought to the attention of the committee by the Chief of Staff. It is a small matter and an administrative matter. We were satisfied that these clerks would serve a good purpose there, and we recommended the appropriation of the \$4,500 to provide them.

Mr. HARRISON. Mr. Chairman, I think in considering the general increases in this bill, where the amount goes over the amount recommended by the Budget, consideration ought to be given to what such increases represent.

The Budget reduced the Organized Reserves from 18,000 men in training to 12,000 men in training, and this bill simply restores the organized men in training to the 18,000 which was approved in the act of 1927. This accounts for one of the large increases.

The next large increase is for the Air Service. The Members of the Congress will recall the debate here on the Air Service and the necessity that was shown to the Congress for increased appropriations for this service.

Another large increase is in regard to the National Guard. The Bureau of the Budget, in defiance of the provisions of the national defense act, reduced the number of drills for the National Guard each year and also reduced the number of days they should be in camp.

Then the Budget again reduced the size of the Army to 115,000 men, including in it the additional men that Congress had said would be necessary for a proper Air Service. We simply restored the Army to the size that the act of 1927 required and which perhaps the gentleman from New York himself voted for only a few months ago.

So it seems to us that when the several items are considered it will be shown that we have not really transgressed the policy Congress has so often agreed to.

Mr. ABERNETHY. Will the gentleman yield for a question?

Mr. HARRISON. Yes.

Mr. ABERNETHY. I understand the committee has put the National Guard back where the Congress said it should be and have provided ample appropriations for that purpose?

Mr. HARRISON. We have restored the National Guard to exactly where the Congress has again and again said it should be put.

Mr. ABERNETHY. I want to say I think the committee is to be commended for that action.

Mr. HARRISON. We have also restored the Organized Reserves in a similar way.

Mr. ABERNETHY. I think the committee is to be commended for that.

Mr. HARRISON. We have also restored in the same way the item for training in civilian military camps, which the Budget Bureau eliminated.

Mr. ABERNETHY. I am in thorough accord with the gentleman and with the committee.

Mr. HARRISON. We have written the 1927 act. When we have gone over the Budget and preserved the policy that we have adopted for years and which the gentleman from New York has probably voted for.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. LA GUARDIA].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

#### ADJUTANT GENERAL'S DEPARTMENT

##### CONTINGENCIES, HEADQUARTERS OF MILITARY DEPARTMENTS, ETC.

For contingent expenses at the headquarters of the several territorial departments, corps areas, armies, territorial districts, tactical corps, divisions, and brigades, including the Staff Corps serving thereat, being for the purchase of the necessary articles of office, toilet, and desk furniture, stationery, ice, and potable water for office use, binding, maps, technical books of reference, professional and technical newspapers and periodicals, payment for which may be made in advance, and police utensils, to be allotted by the Secretary of War, and to be expended in the discretion of the commanding officers of the several military departments, corps areas, districts, armies, and tactical commands, \$4,500.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent that I may speak out of order for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HUDSPETH. Mr. Chairman and gentlemen of the House, realizing that there is a serious situation that might become more serious in the country south of the Rio Grande, I shall be guarded in my statements here to-day. I want to say that we who live along the Rio Grande have as our neighbors the Mexican people on the other side. Our interests, commercially, demand that we go along with those people amicably and friendly, for they are our neighbors and we think we understand them. We wish them well and stand ready to aid them in all legitimate undertakings.

Now, a great deal has been said about the prospects of a war with Mexico. I want to state to you that our people are not anticipating any war with Mexico and neither are the Mexican people anticipating any war with the United States. [Applause.] As proof of that I submit a statement from Alberto D. Almeida, mayor of Juarez:

J. Hamilton Lewis did not know what he was talking about when he said Mexico wants a war with the United States. Nothing could be further from our minds.

He is the spokesman of the Mexican people in the north and reflects the sentiment of General Calles, so I understand.

Gen. Roman Lopez, commander of the Juarez military garrison, says:

While papers in the United States are daily announcing revolutions in Mexico, we in this country know nothing about them, except what we read in the papers. There will be no revolution in this country.

Now, gentlemen, I want to say to my good friend from the Shenandoah Valley, Judge HARRISON, who made a statement a few days ago which is reported in the RECORD, as follows:

The facts which are set out in these editorials, which are not denied, plainly indicate that the wishes of the Nicaraguan people have been overruled by American bayonets and that an unjust bullying attitude has been assumed toward Mexico.

Who is bullying Mexico to-day? I want to ask my very good friend from Virginia, when he says that this Government is bullying Mexico, where is the evidence? The protection of Americans in Mexico is not bullying—where is the bullying of Mexico?

Mr. HARRISON. The gentleman will find it in the message of the President of the United States and the utterances of the Secretary of State.

Mr. HUDSPETH. I have read the message of the President of the United States, and I want to say to my good friend that I, as a man who has lived there all his life, can not see any bullying when this Government simply protects the rights of American people. That is Americanism, and when that is done I am going to indorse the policy of this Government. [Applause.] That is Americanism, and I put Americanism ahead of my Democracy. [Applause.] I want to say that as long as the Government pursues a just policy to these people down there there is no bullying and there will be no war with Mexico.

I do not want war with Mexico and my people do not want war with Mexico, because they are our neighbors and friends. A firm policy and protection of Americans will prevent war. Mind you, I do not say property; I do not put property on a parity with the lives of American people.

Mr. JACOBSTEIN. Does the gentleman think there has been no bullying in Nicaragua?

Mr. HUDSPETH. I do not; and I will tell you why. You asked me a question and I am going to tell you why there has been no bullying in Nicaragua. They had an election there in the fall of 1924, and Solorzano was elected president and Sacasa vice president. Then Chamorro, who has been strong down there in bringing forth revolutions, captured the citadel of Managua and finally forced Solorzano to vacate, and at the same time he forced Sacasa to vacate his office. Then, I want my friend to follow me, and also the gentleman from Missouri [Mr. LOZIER], who nods his head so wisely and talks so much about bullying in Nicaragua. Follow me and let me tell you what happened. What did they do? Chamorro was declared the President de facto of Nicaragua.

Mr. LOZIER. After he had expelled Sacasa at the point of the bayonet.

Mr. HUDSPETH. Oh, let me answer the question, and answer gentlemen one at a time. If you give me time, I will take on every one of you. [Laughter.] What did they do? They had elected a congress in 1924, and no one will say that that was not a constitutional congress. No one here will deny that they were elected as the constitution of Nicaragua provides. Chamorro came in and he expelled 18 members and then a revolution broke out, which he was able to suppress. Then another revolution came along, which he was not able to suppress, and he had to abdicate and turn it over to Uriza, and matters got so warm for Uriza that he had to move out. What did they do then? They put back those 18 members that they had expelled, those same men who had been elected as the constitution provides, and then that Congress elected Diaz as the constitutional President of Nicaragua, as the constitution of that country provides. [Applause on the Republican side.] Then this Government recognized the man who was constitutionally elected President of the Republic of Nicaragua, and what did they do then?

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. HUDSPETH. Oh, just a minute. I have not finished with the gentleman from New York yet. What did they do? Solorzano, who was always the friend of the American people, when he had to leave—and I suppose he was forced to leave at the point of the bayonet—went to his friends in the United States, and he now resides in San Francisco; and he has said that he is not going back there to foment any revolution and will not return until the expiration of the term of the man Diaz, who has been constitutionally elected President. But where did Sacasa go? If he was the friend of the American people why did he not come back to them? He was educated over here in Georgetown Medical College, and at Columbia University. Where did he go? He went just as straight as that proverbial Indian ever walked, right into the arms of his muy amigo, compañero y compadre, Plutarco Elias Calles, his friend, the President of Mexico. If he is the friend, as he claims to be, of the American people, why did not Sacasa, when he was forced away, come back to them? I can imagine, I can see him approaching Calles, and going into his arms, his saying que viva el Presidente Calles—long live President Calles, my friend who will put me back on the throne in Nicaragua, and I can see Calles as he spreads those sinewy arms around Sacasa and prints the Latin kiss upon his brow and hear him saying, "You have come back to your friend, and we will support you with the bayonets of the Mexican Government." You know I could never have much respect for one grown man kissing another grown man. That is what happened. Why should we not recognize the man who was constitutionally elected president of that country, and who is the friend of the American people?

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. LOZIER. Will the gentleman assert that the election of Diaz was the exercise of the free power of the Congress of Nicaragua? Does not the gentleman know that Chamorro twice offered to resign if the United States and Nicaragua were content with the election of Diaz, and does not the gentleman know that Diaz was the creature of the interests and the factions that were behind Chamorro, and that his election was the result of military pressure upon the Congress of Nicaragua?

Mr. HUDSPETH. The gentleman from Texas does not know anything of the kind, and neither does the distinguished gentleman from Missouri [Mr. LOZIER]. I know that Diaz is to-day the constitutionally elected President of the Republic of Nicaragua.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LOZIER. Does the gentleman deny that the Associated Press carried twice in September and October a proposition from Chamorro to resign if the United States and the people of Nicaragua would consent to the election of Diaz as President of Nicaragua?

Mr. HUDSPETH. I am contending to-day that Diaz is the constitutionally elected President of the Republic of Nicaragua, and the gentleman can not successfully contradict this statement, and I will quote the constitution of Nicaragua as my authority. The distinguished Senator from Idaho [Mr. BORAH] who so ably presented this matter at the other end of the Capitol the other day said that the whole thing hinged on the definition of the word "falta." The distinguished Senator said that the word "falta" did not mean absent. The constitution of the Republic of Nicaragua says:

Elegir cada año dos designados, que por su orden, deban ejercer la Presidencia de la República, cuando ocurra falta absoluta o temporal del Presidente y Vicepresidente.

The distinguished Senator may be, and doubtless is, a better Spanish scholar than I am, and I am sure that he is a better English scholar; but if the word "falta," according to the Spanish dictionaries that I have studied, is not the proper word for the word "absent," then I have used it on many occasions in a false sense, because I stood before my Mexican-American constituents and voters many times and have exhorted them to flee from the wrath to come if they ever voted the Republican ticket, and I would say to them, "Cuidado mucho, muchachos, que ningún hombre falte en el día de la elección, que votará el Boletó Democrático," which, translated into English, is: "Look out much, boys, that no man is absent on the day of the election who will vote the Democratic ticket." [Laughter.] If "falta" does not mean "absent," for many years I have used it in the wrong sense and in an improper way. If it does mean "absent," then the Constitution says that a default or an absence from the country of the President or Vice President, whether forced away or not, that the Congress that has been constitutionally elected chooses a designate, and they did choose a designate—Diaz—and he is the constitutionally elected President of the Republic of Nicaragua to-day.

Mr. JACOBSTEIN. Will the gentleman yield?

Mr. HUDSPETH. I will.

Mr. JACOBSTEIN. The gentleman very wisely distinguished between the protection of human life and property.

Mr. HUDSPETH. I do not put property on a parity with human life, and I am talking about American lives, you will understand.

Mr. JACOBSTEIN. Does the gentleman honestly believe that any American lives were at stake in Nicaragua?

Mr. HUDSPETH. I do.

Mr. JACOBSTEIN. Can the gentleman give any evidence of it?

Mr. HUDSPETH. If the gentleman had seen one of these revolutions in Latin America as I have seen, not only one but many; if the gentleman had seen 17 of his citizens shot down while they were pursuing their lawful and peaceful occupations in my beloved home city, El Paso, when General Madero attacked Juarez; would the gentleman think American lives that happen to get in the way of one of those revolutionist's guns were safe? [Applause.]

Mr. JACOBSTEIN. The gentleman would have American troops there, then, all the time?

Mr. HUDSPETH. As long as American lives are in jeopardy; yes, sir, I would.



Mr. JACOBSTEIN. I agree with my Texas friend.

Mr. HUDSPETH. And going a little further, I would keep them as long as there was any imminent danger. [Applause.]

Mr. JACOBSTEIN. There is always that imminent danger in Central America, South America, and Mexico.

Mr. HUDSPETH. When there is a revolution.

Mr. JACOBSTEIN. But the gentleman would have American troops there all the time.

Mr. HUDSPETH. I would as long as there was any danger. I would keep them as long as there was any danger to the lives of Americans; and I want to say to my handsome friend from New York that there will be no war as long as we pursue a firm policy as we are now pursuing. Who first sent the marines to South America?

That great Democrat, Grover Cleveland, in 1895 sent the marines to Panama to protect the lives of Americans and their property—one of our greatest Democrats. Talk about war with Mexico. We will not have any and we do not want any. I think I will just relate a little incident; it will probably do you some good. My friend the gentleman from New York says he wants information. All right. I will give it to him. On the 19th of June, 1886, they were going to execute an American by the name of Cutting in the town of Juarez, Mexico. He was a newspaper man in El Paso and had written an editorial criticizing a Mexican army officer in Juarez. He went across the river and they threw him in one of the vilest dungeons that ever infested and disgraced any country. They appealed to the Mexican commander and the authorities in Juarez first, although this article had been written on this side of the river in the United States and had been published in his paper. The Mexican authority replied, "We are going to shoot him." The Secretary of State of the United States took it up with the Secretary of Fomento in Mexico City. The reply again came back "Cutting has transgressed against our Government and we are going to deal with him according to our laws"—which meant death or long confinement. The President then issued an order—or his Secretary of War—to General Shafter at San Antonio and said, "Take your regiments to El Paso, with your big guns, at once." This was done, and they were planted on the hills where I live and overlooking the town of Juarez. The day before the 19th of June, or the evening before, General Shafter called upon the Mexican commander and said, "Deliver this man up at 12 o'clock high noon on the 19th or I will level every adobe in the town of Juarez by 2 o'clock on that day." Now, mind you, I am speaking from memory and I may not be absolutely exact as to dates and the exact language that was said. But in the main I am correct as to what transpired. I was a very small boy in those days, but I remember the people and the newspapers throughout the United States said war with Mexico was inevitable.

Next morning the Mexican commander in Juarez looked across the river and saw those blue boys over there—they were uniformed in blue then—and he said, "It looks like those gringos mean business." By 11 o'clock General Shafter moved his troops to the international bridge, and in a few moments they saw an escort of Mexican Cavalry coming down the Mexican street toward the bridge. Then the Mexican officials came down and delivered Mr. Cutting at 11:30 o'clock on the international bridge, and there was no war. [Applause.]

My colleague from Texas [Mr. BLANTON], as I understand from the RECORD, said those Americans down there pay no taxes in this country and we owe them no protection. The oil magnates, he refers to. The gentleman used to represent the district, in part, which I now represent, and he knows the conditions there, and I will say to him that there is \$10 invested in Mexico to-day by Americans—good Americans, who own ranches, livestock, mines, and so forth—to \$1 that is invested in oil. Those men live in this country and pay taxes in this country. They are the men I am talking for to-day, and they are the men in whose behalf I am asking that this Government maintain a firm policy. This House should back up a policy of that kind.

Mr. BLANTON. Having represented those people along 400 miles of the Mexican border, and knowing the Mexicans as I do, I was one of the few Democrats, when President Coolidge's message was read, who stood up on this floor and supported the President, believing such action would tend to keep us out of war, for I would not permit the President to lead me into a war with Mexico.

Mr. HUDSPETH. Well, then Judge, I had you wrong in that respect. I was going by what I saw in the RECORD a few days after the President's message was read. I am glad the gentleman knows the true conditions across the Rio Grande and

will stand with me in support of a firm policy by this Government that will protect Americans and their property down there.

Gentlemen, do you remember the Polvis and Glen Springs incident down there? Those bandits had been coming across those blind trails and murdering our people, burned their houses, killed the son of Ed Nevill, raided the ranch of Luke Bright, murdered some of Bright's men.

Our soldiers went in there and killed those men, and since that hour, from that time until this, there has not been a single outbreak of that kind. You have got to pursue a firm policy down there. [Applause.]

I know them; I have never been unfriendly to them on the other side of the Rio Grande. I know my people do not want war, and we are not going to have war so long as this firm American policy is pursued. I do not think much of a man who says we should not send our Army in there to protect American lives and property. I have told you of the incident that happened in 1886, when a Democrat, Grover Cleveland, was President and another great Democrat was Secretary of State. They enforced that American policy then. The same policy I hope and trust is being enforced to-day.

Mr. MOORE of Virginia. Does the gentleman say—

Mr. HUDSPETH. I do not say that they are going down there to protect every American dollar that is invested, but I say we ought to protect Americans wherever they may be when they are behaving themselves and obeying the laws of the country where they live. That is true American doctrine; not necessarily the Monroe doctrine, but it is an American policy, established by Grover Cleveland. [Applause.] And which all Americans should support regardless of party affiliation.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. HUDSPETH. Mr. Chairman, may I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MANSFIELD. And Woodrow Wilson also sent marines into Mexico to capture Vera Cruz.

Mr. HUDSPETH. Yes. And I did and do now indorse his action. It has been said that American troops should not have been sent under General Pershing into Chihuahua after Villa when he sacked the American town of Columbus and murdered our citizens. That was done by President Wilson. That was done by our President, although certain gentlemen on my side say they did not approve sending our troops into Mexico after Villa.

I do, and I am not an imperialist by any means. I say emphatically I do not want this country of mine to take a clod of dirt or an acre of land from Mexico. But when she invites American capital to invest in her country she should extend protection; if not, we should.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield there?

Mr. HUDSPETH. Yes.

Mr. STEVENSON. The gentleman will remember, too, that when the British Empire undertook to take charge of Venezuela customhouses an American President, Grover Cleveland, sent in warships and stopped it.

Mr. HUDSPETH. Yes. I thank my friend for reminding me of that incident. Whether it is a Republican from Vermont in the White House, a Democrat from New Jersey, a Non-partisan Leaguer from North Dakota, or a Farm-Laborite from Minnesota, if he clings to Americanism and protects the lives and property of Americans, I am going to support him. I again say to my colleagues on this floor, in instances of this kind I put my Americanism ahead of my Democracy. [Great applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### MILITARY POST EXCHANGES

For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations, for the conduct of the post exchange, school, reading, lunch, and amusement rooms; for the conduct and maintenance of libraries, including periodicals and other publications, and subscriptions for newspapers for which payment may be made in advance, service clubs, chapels, and gymnasiums, including repairs to buildings erected at private cost, in the operation of the act approved May 31, 1902, and including salaries and travel for civilians employed in the hostess and library services, and for transportation of books and equipment for these services; for the

rental of films, purchase of slides for and making repairs to moving-picture outfits and for similar and other recreational purposes at training and mobilization camps now established, or which may be hereafter established, \$64,140.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARDIA. I want to comment on the fact that the committee has ignored the Budget in this case and reduced the Budget \$10 on this item. [Laughter.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

FINANCE DEPARTMENT  
PAY, ETC., OF THE ARMY

For pay of officers of the line and staff, \$29,843,800; pay of officers, National Guard, \$100; pay of warrant officers, \$2,163,984; aviation increase to commissioned and warrant officers of the Army, \$1,397,624; additional pay to officers for length of service, \$6,303,398; pay of enlisted men of the line and staff, not including the Philippine Scouts, \$49,148,803, and, in addition, unobligated balances under the following appropriations are reappropriated in amounts not to exceed those set after each of such appropriations: Clothing and equipage, 1925, \$45,000; barracks and quarters, 1925, \$35,000; printing and binding, War Department, 1925, \$50,000; salaries, Adjutant General's office, 1925, \$80,000; finance service, 1926, \$80,000; Organized Reserves, 1926, \$80,000; incidental expenses of the Army, 1926, \$80,000; Army transportation, 1926, \$80,000; land, Fort Bliss, Tex., 1926, \$275,000; pay of Military Academy, 1926, \$3,961; in all, \$808,961; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$400,000; pay of the enlisted men of the Philippine Scouts, \$938,960; additional pay for length of service to enlisted men, \$2,721,187; pay of the officers on the retired list, \$7,337,271; increased pay to retired officers on active duty, \$210,000; pay of retired enlisted men, \$9,743,250; increased pay and allowances of retired enlisted men on active duty, \$10,000; pay of retired pay clerks, \$6,750; pay of retired veterinarians, \$3,570; pay of not to exceed 65 civil-service messengers at \$1,080 each at headquarters of the several territorial departments, corps areas, Army and corps headquarters, territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, \$68,040; pay and allowances of contract surgeons, \$40,000; pay of nurses, \$757,960; pay of hospital matrons, \$600; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$6,275,692; subsistence allowances, \$5,806,049; interest on soldiers' depositors, \$75,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$1,000; additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, \$196,000; in all, \$123,449,138; and the money herein appropriated for "Pay, etc., of the Army" shall be accounted for as one fund.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment. I have several amendments to offer.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 10, line 9, strike out "\$49,148,803 and insert in lieu thereof \$49,041,114, and strike out the balance of line 9 and all of lines 10 to 19, both inclusive, and the figures \$808,961 in line 20."

Mr. LAGUARDIA. Mr. Chairman, only a few seconds ago the Republicans in this House cheered and stood up and applauded the distinguished gentleman from Texas [Mr. HUDSPETH] because he had made an eloquent address to support the President of the United States. Now you Republicans stand up and cheer to this:

THE WHITE HOUSE,  
Washington, January 5, 1927.

MY DEAR MR. FRENCH: This is to assure you when I send a Budget to Congress it represents my best judgment, and that I feel it my duty to defend and support it, which I do at all times unless I send up a supplemental estimate.

Now stand up and cheer. [Cries of "Hooray!"] For four years the leaders of this House have been bullying me for not supporting the President. Now you are deserting the President because four or five uniforms have come down here and bulldozed you. [Cries of "Hooray!"]

There is no justification for the increased appropriations in this bill, and when the farm relief bill comes in or any other bill comes in and you leaders stand up and urge the President's financial program you will not have a leg to stand on.

Why, gentlemen, this paragraph provides for an Army of 118,750, when the President's financial program, the policy of the administration, and the Budget Bureau's recommendation are based on an Army of 115,000 men. Because General Summerall came in you all shifted. I know the general. He is a good soldier. But of late he has been making speeches all over New York. General Summerall appeared before the Committee on Military Affairs, and do you know what he said? He said it is the Army that maintains our constitutional form of government. I deny that. I do not believe there is a man on the floor of this House with any judgment who would stand up and say that our constitutional form of government is maintained by the brute force of an army. That shows the Army attitude. There is no limit to the Army's demand and pretensions.

In this paragraph the committee has not only increased the amount recommended but has reappropriated \$808,961 that ought to go into the general fund for the reduction of taxes, all because General Summerall says he wants an Army of 118,750. I will tell you where you can pick up 3,000 men. Take the 3,000 soldiers who are to-day wheeling baby carriages for the officers at the several posts—3,000 dog robbers—and let them render the military services they are supposed to be rendering and there will be no need of more men. You can pick up 3,000 men there if you want to provide for additional men to justify 12,000 officers.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. The trouble is in the conflict between the President's policy and the policy of the TILSON-BEGG-LONGWORTH combination.

Mr. LAGUARDIA. I do not know where the trouble is, and I am not on the inside to know, but I do know that in this one item you have an addition of \$916,650.

At the first session of the Sixty-sixth Congress the Military Affairs Committee brought out an appropriation bill providing for an Army of 500,000 men.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. I offered an amendment, gentleman, to reduce that number to 300,000. The distinguished gentleman from Vermont, now the Senator from Vermont [Mr. GREENE], and the distinguished chairman of the committee, the lamented and beloved Julius Kahn, stood up and said, "Oh, the country will go to ruin if we do not have 500,000 men. The Army will go to pieces." But the House approved my amendment; we reduced the Army from 500,000 to 300,000. That was on June 11, 1919, and nothing very terrible has happened to the country or to the Army.

Your addition here of \$916,650 and your addition in the next item is simply money wasted that need not be appropriated. The Army will not suffer if we keep to the Budget figures. I suppose you are going to vote this down, but I serve notice now that I am going to use every proper parliamentary means to block the unnecessary appropriations contained in this bill.

Mr. BLANTON. But you can not do it.

Mr. LAGUARDIA. Well, we can make the record. We can at least remind our colleagues when they urge us to support the President on some of their pet measures or to defeat some necessary and useful welfare measure—we will just remind this side of the House of their attitude on this bill.

Mr. WEFALD. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WEFALD. Is the gentleman's amendment for the purpose of carrying out the wishes of the President?

Mr. LAGUARDIA. I think it is; yes.

Mr. WEFALD. I will say to the gentleman that the President selects some queer spokesmen on the floor of this House now. [Laughter.]

Mr. LAGUARDIA. I can say this to the gentleman, that as to this proposition, taking the views of the most radical Member of this House and those of the most conservative man who ever occupied the White House, the middle-of-the-way men of the House should not hesitate to follow.



Mr. WEFALD. The gentleman and I have stood by the President.

Mr. LAGUARDIA. Oh, surely.

Mr. SCHAFER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SCHAFER. Are we to understand that the Socialist Party is supporting the President?

Mr. LAGUARDIA. I do not speak for the Socialist Party, nor do I speak for the President. The gentleman from Milwaukee is an expert on the subject. Now, gentlemen, the test is right here on this item, where you provide for 118,750 men instead of 115,000, and where you go over \$1,000,000 above the necessary requirements. I want to emphasize that. This is all window dressing. I think I know something about the Army, because I was raised on an Army post when our officers were soldiers. To-day they are after-dinner speechmakers, going around the country making speeches. They must be very eloquent or they would not have been able to put it over on the Committee on Appropriations. However, they did not do it on the naval subcommittee, and we stood by the naval subcommittee. But all through this bill you will find it is simply loaded with unnecessary appropriations, and the bill, gentlemen, does not contain the \$5,000,000 for new quarters that is going to come in within a few days, because yesterday we authorized the building of quarters and repairing of quarters at the various posts. So to this bill you have to add \$5,000,000 more.

I want to urge, with all seriousness, the adoption of this amendment. It will maintain the Army at the basis of 115,000 men. It will save about \$7,000,000 at least. It will be in accord with the President's financial program. It will make available this \$7,000,000 or \$8,000,000 for useful purposes, and I ask that you vote for the amendment.

Mr. BARBOUR. Mr. Chairman, I rise in opposition to the amendment. I simply want to say in answer to the gentleman that the amounts provided in this section of the bill and to which the amendment is directed will provide for 119,611 officers and 118,750 men. That is practically where the Army is to-day. There may be a small variation, because the total enlisted and officer strength is continually changing from time to time. This has been the policy of Congress expressed in the War Department appropriation bills which Congress has passed during the last four years. We are not to any extent going beyond what Congress has already declared for and laid down as its policy. We are simply continuing the Army for the year 1928 at the strength provided for the year 1927.

Mr. HARRISON. Will the gentleman yield?

Mr. BARBOUR. I yield to the gentleman from Virginia.

Mr. HARRISON. Will the gentleman allow me to call his attention to the fact that this is really a reduction of 1,248 men, because that number have been included for the Air Service.

Mr. BARBOUR. The gentleman from Virginia is quite correct. The first increment of the Air Corps, which the Air Corps bill provided should be in addition to the authorized strength of the Army, is included in this number.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. LAGUARDIA. The gentleman does not want to leave the impression that when I stated that this is over and above the recommendation of the Budget that I was incorrect, does he?

Mr. BARBOUR. I did not say that. I say we are carrying forward in this bill the policy which the Congress had declared for the last four years, and we are not a bit beyond that policy. We are simply carrying into 1928 what we are doing in 1927. Whether the gentleman from New York voted for this 1927 program or not I do not know, but the House certainly did vote for it by a very large majority a year ago, when the Army appropriation bill was before us.

Mr. KVALE. Mr. Chairman, I move to strike out the last word.

I think it is proper here, Mr. Chairman, to read a little extract from the President's Trenton speech, and I commend it to every Republican here:

Washington and the patriots of his day wanted peace. We want peace. They found it was necessary to make sacrifices in order to secure it. We can not escape the corresponding sacrifices, sometimes for the purpose of providing adequate national defense sometimes through international covenants by limiting the scope of our military forces. I do not believe we can advance the policy of peace by a return to the policy of competitive armaments. While I favor an adequate Army and Navy, I am opposed to any effort to militarize this Nation.

In nations, individuals have their counterpart. As we can expect some help from domestic laws, so we can expect some help from international covenants. While each represents the best that humanity can do at this time, neither in itself is sufficient. As it is necessary to change the heart of the individual, so it is necessary to change the heart of nations. This has often been referred to as moral disarmament.

Altogether too much of international relationship is based on fear. Nations rejoice in the fact that they have the courage to fight each other. When will the time come that they have the courage to trust each other?

I commend this noble sentiment. [Applause.]

The world has been striving to advance in this direction, to discard the old theory of relying entirely on force and to adopt the methods of relying more on reason. We are in danger of slipping back into the old formula. The habit and tradition of ages call us in that direction. We can not establish the new principle unless we are willing to make some sacrifices, unless we are willing to put some courage into our convictions. \* \* \* I believe we are strong enough and brave enough to resist another domination of the world by the military spirit through our own independent action.

I am very glad to stand by the President. I stood by him in the cruiser program; I will stand by him here to retain the strength of the Army at 115,000 instead of favoring the proposed increase of 3,750 men. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma amendment.

The committee will not deny that this bill adds 3,750 men additional to the present strength under the last appropriation bill.

The amendment of the gentleman from New York [Mr. LAGUARDIA] merely does away with that excess allowance. It merely holds the strength of the Army to the last appropriation bill, its present strength, and does not permit these 3,750 men to be added; is not that true?

Mr. BARBOUR. The enlisted strength appropriated for in the 1927 appropriation bill was 118,750 men. After that appropriation bill was passed we then passed the Air Corps act, which provided for—

Mr. BLANTON. Mr. Chairman, I do not want the gentleman to take up all my time.

Mr. BARBOUR. The gentleman asked for information, and I was endeavoring to give him the information he asked for.

Mr. BLANTON. The gentleman will not admit it, but it is the fact nevertheless.

Mr. CLAGUE. No; it is not the fact.

Mr. BLANTON. I simply wanted the gentleman to admit that one fact.

Mr. CLAGUE. What is the fact that the gentleman wants admitted?

Mr. BLANTON. I want the gentleman to admit that he is exceeding in the appropriation the estimate of the Budget in order to pay for 3,750 men; is not that so?

Mr. DICKINSON of Iowa. Yes; but not an increase over last year.

Mr. BLANTON. The Budget, which speaks financially for the President, recommended 3,750 enlisted men less than this bill provides for. There is the question involved. It is a straight-out question of whether or not we are going to provide these 3,750 extra men over and above the Bureau of the Budget estimate.

I am going to stand by the President.

Mr. WURZBACH. Will the gentleman yield?

Mr. BLANTON. I yield to my colleague, who has just gotten his post office in San Antonio. I commend him. [Laughter and applause.] He is growing with the administration because they have given him something, the first thing he has ever gotten out of his administration since he has been the sole Republican Member of Congress from the Lone Star State of Texas. I commend him. He was entitled to it and ought to have had it.

Mr. WURZBACH. Has the gentleman from Texas decided to surrender all of the constitutional appropriating power of this Congress to the Budget Bureau or to the President?

Mr. BLANTON. No; I have not, because if the Budget had recommended what the committee has recommended, I would vote against the Budget. It is only when the Budget uses some common sense and sane economy that I stand with the Budget. In this instance they have used sane economy, but the committee is going to vote against them, and the committee is going to vote against the President, because there is a new régime here on the floor of the House. There is an election time com-

ing next year for President of the United States, and there is a new combination being formed here on the floor to oust the President from the White House and put somebody else in. We all know it. Why do we not face it?

Mr. CLAGUE. Does the gentleman from Texas think that 35 cents is enough for food for boys in the Army when the Navy gets 51 cents and the marines 51 cents? Does the gentleman think that the increase to give the boys 40 cents is too much, and is the gentleman going to vote against that?

Mr. BLANTON. No; I do not. I will answer that. The reason for the difference between the Navy and the Army is that the naval rations cost more as they are mostly provided for on ship far away from land, and the Army rations are procured on land where there is a close market and they can be furnished much cheaper than they can at sea. The same food costs the Navy more to serve that it does the Army. The Budget had common sense when it did that. I do not object, however, to the provision that gives the boys better food, as I want to give them the best possible food that money can buy, and I shall vote for that provision in the bill.

Mr. WEFALD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WEFALD. I want to call attention to the fact that the increase is called for because canned food is so much higher.

Mr. BLANTON. Oh, I am going to vote for that provision, but I am not going to vote for these extra 3,750 men that we do not need and which are against the program of the President.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. QUIN. Mr. Chairman, it occurs to me that my friend from Texas [Mr. BLANTON] is unduly exercised. My friend from Texas is a good man, and I believe in him. The question of proper food for the Army is a vital one, and it is not a waste of money. I want to say to my friend from Texas and others who oppose this—

Mr. BLANTON. I am not opposed to that.

Mr. QUIN. In justice to the Army that the boys who wear the uniform on land ought to have the same amount of rations as the sailors or the marines. This part of the appropriation bill that provides additional rations goes into this bill by the consent of the Military Committee that had hearings on the question. Thirty-five cents a day for rations in the Army is not enough, and it ought to be made up to that of the boys in the Navy. Surely no man who is acquainted with the prices of food would object to this amount in order to give them sufficient food, in order to give them a reasonable amount of food necessary to sustain life so that when he gets through the service in the Army he will go out as a citizen well equipped, strong, and vigorous, with plenty of red corpuscles in his blood, able to cope with life, and surely it is the duty of this great Government to give him sufficient food.

On 50 cents a day a man can not have cakes and pies, he can not have ice cream, he can not have charlotte russe and all of the fancy dishes. He can have meat and vegetables and bread in order to give him strength to do Uncle Sam's business. That is all that this bill proposes.

I contend that every man who works for the Government shall have enough to eat. I contend that the farmer shall have sufficient food to enable him to maintain his health. I voted to give Congressmen enough to eat [Laughter.] I will vote to give Uncle Sam enough to eat, and we ought not to be parsimonious when we come to giving these boys an increased ration equal to that in the Navy.

There is reason in all things that when the Government of the United States is called upon to properly feed its sailors I am one of those men who is going to champion that provision, for I do not believe any man should go through life without sufficient food to properly sustain him. I believe that every man, woman, and child should have sufficient food, proper clothing, and I believe that the Government of the United States is bound to give its soldiers and sailors the same rations. The War Department knows what proper food is; they have dietitians and physicians and health officers. Congress need not bother whether it will be cabbage, corn bread, rye bread, onions, or that matter. I hope that every man on this floor will vote to give the soldiers a decent ration. [Applause.]

Mr. BARBOUR. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

Mr. SCHAFER. A parliamentary inquiry. Did I understand the gentleman to ask unanimous consent?

The CHAIRMAN. The Chair understood the gentleman to move that the debate be now closed.

Mr. BARBOUR. I ask unanimous consent that the debate on this amendment and all amendments thereto do now close.

Mr. SCHAFER. I object.

Mr. BARBOUR. Mr. Chairman, I move that all debate on the amendment and the amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. LA GUARDIA) there were 53 ayes and 6 noes.

So the motion was agreed to.

Mr. LA GUARDIA. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and two Members are present, a quorum. The question is on agreeing to the amendment.

Mr. LA GUARDIA. Mr. Chairman, I ask unanimous consent to have the amendment again reported. Since the dietary speech of the distinguished gentleman from Mississippi [Mr. QUIN] there may be some misapprehension that the amendment is on that subject.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection and the Clerk again reported the LaGuardia amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. LA GUARDIA) there were—ayes 22, noes 66.

So the amendment was rejected.

Mr. LA GUARDIA. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. LA GUARDIA: Page 12, line 2, after the word "fund," add the following: "Provided, That none of the money herein appropriated shall be used for the retired pay of any officer or enlisted man who is in the employ of the United States other than the military service."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

#### EXPENSES OF COURTS-MARTIAL

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, \$125,000.

Mr. LA GUARDIA. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LA GUARDIA: Page 13, line 8, strike out "\$125,000" and insert "\$70,000."

Mr. LA GUARDIA. Mr. Chairman, there must be some way found to occupy and keep busy some of the 12,000 officers authorized and appropriated for in this bill, so general courts are formed and men are tried by them. The estimate of the Budget Bureau is that for all the courts-martial and all the expenses of this item all that is needed is \$70,000. Some swivel-chair soldier has come along and recommended to the Committee on Appropriations that \$125,000 is needed, and so, ipso facto, \$125,000 is put into the bill. Just a moment ago the committee voted down an amendment which would have reduced this appropriation bill by over a million dollars, and a moment or two ago voted down a proviso which would prevent many, sound, healthy-bodied men who are on the retired list of the Army from drawing pay from another branch of the Government service.

We have 25 or 30 men in New York City to-day who are in the employ of the Government, drawing from three thousand to five thousand dollars a year, and at the same time who are also drawing from twenty-four hundred dollars to thirty-five hundred dollars retired pay. If an officer of the Army is sufficiently able to hold a position under the Government, he ought to be able to stay in the military establishment for which he was trained and do his duty there, and not draw double pay.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. BLANTON. Then we ought to begin at the top with General Harbord, who is drawing a general's retired pay and at the same time drawing a salary of \$50,000 a year from the Radio Corporation of America.



Mr. LAGUARDIA. At least he is not in the employ of the Government, and he was retired for age.

Mr. BLANTON. But he is drawing the retired pay of a general of the Army.

Mr. LAGUARDIA. That is quite different from a situation where you have young men who are retired on account of alleged disability who are drawing from \$2,400 to \$3,500 a year, and who then turn around and take employment in another department of the Government and draw pay for the work they do there. When you do that you put every civilian employee of the Government at a disadvantage.

Mr. SIMMONS. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SIMMONS. Do I understand that the gentleman does not approve of that practice?

Mr. LAGUARDIA. I do not.

Mr. SIMMONS. For the gentleman's information, the disabled emergency officers' bill, if it passes, will put 150 employees of the Veterans' Bureau, some of whom are drawing salaries as high as \$5,200 a year, on the retired list at Regular Army retired pay.

Mr. LAGUARDIA. But that has nothing to do with what I am complaining about here.

Mr. SIMMONS. Oh, it is the same situation.

Mr. LAGUARDIA. These men are drawing double pay.

Mr. SIMMONS. And so will those other men. One man in the Veterans' Bureau is now drawing \$5,200 a year, and under the disabled emergency officers' bill he will receive an additional \$2,700 a year.

Mr. LAGUARDIA. Under my proposed amendment he could not receive both pays. Unfortunately, that amendment was defeated. The amendment now under consideration is to reduce the \$125,000 down to \$70,000, all that is necessary for these general courts-martial, unless you have another General Mitchell in sight that you want to try before a court-martial and get him out of the Army because he has intelligence and independence and good judgment. If you have any of those cases in mind, I suppose you will need the \$125,000, but for the ordinary needs of the Army, for the fees of stenographic reporters and the witnesses, \$70,000 is all that is needed, because the pay of the court does not come in that. The court is composed of officers who are paid from funds provided for in other sections of this bill, and the \$70,000 is only for stenographic reporting and for witnesses' fees and for the costs of taking depositions. I submit to every lawyer in this House that you can certainly take a great deal of stenographic notes and pay many witnesses for \$70,000 without burdening this bill to the extent of \$125,000.

Mr. BARBOUR. Mr. Chairman, the additional \$55,000 will take care of the increase in witness fees that the Congress provided in the act which was passed in the last session and became a law on April 26, 1926.

It is an increase in the expense of attending the United States courts and court-martials. In addition it will allow the hiring of shorthand reporters. As it is a vast majority of these cases as carried on to-day the testimony is taken down in longhand.

Mr. RAGON. How many cases?

Mr. VINSON of Kentucky. Five thousand four hundred and fifty-seven general courts-martial.

Mr. BARBOUR. This will enable them to hire shorthand reporters.

Mr. HUDSON. Will the gentleman yield?

Mr. BARBOUR. I will.

Mr. HUDSON. How many of these cases are tried for desertion, a great majority?

Mr. LAGUARDIA. Ten thousand.

Mr. BARBOUR. There was something like 8,000 desertions, but how many of these cases there were for desertion or something else I could not say, but it is all set forth in the hearings.

Mr. STEVENSON. Will the gentleman yield?

Mr. BARBOUR. I will.

Mr. STEVENSON. The law covering these cases to which the gentleman refers went into effect sometime ago and the Budget passed on this item.

Mr. BARBOUR. Yes; on the 26th day of April, 1926. The testimony before the Committee on Appropriations was that the amount allowed by the Budget, in their opinion, would not take care of these witness fees, but the Budget allowed the same amount carried in the bill last year, and as I recall for several years.

Mr. STEVENSON. The Budget Commission knew that law had been passed.

Mr. BARBOUR. Oh, yes.

Mr. LAGUARDIA. And the Budget took it into consideration.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced the yeas appeared to have it.

On a division (demanded by Mr. LAGUARDIA) there were—ayes 16, yeas 34.

Mr. LAGUARDIA. Mr. Chairman, I object to the vote on the ground there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. LAGUARDIA. Mr. Chairman, I withdraw the point of no quorum.

The CHAIRMAN. The gentleman withdraws the point of no quorum, and the Clerk will read.

The Clerk read as follows:

#### APPREHENSION OF DESERTERS, ETC.

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$10 to each prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, \$125,000.

Mr. O'CONNOR of Louisiana and Mr. McSWAIN rose.

Mr. McSWAIN. I yield to my friend from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, the gentleman from Virginia [Mr. HARRISON] having exhausted all of the time allotted to him could not make provision for me when I requested him to do so, but he promised by unanimous consent to secure me 10 minutes under the discussion of the bill under the five-minute rule. I do not think I shall require the 10 minutes. I understand the gentleman from California, in a very generous way, was willing to support that attitude. I do not intend to discuss at length, gentlemen of the committee, the Nicaraguan situation, although in all probability I know more of Mexico and Nicaragua than nine-tenths of the fellows who are yelling their heads off against what I consider a good American policy and a good American attitude with respect both to Mexico and Nicaragua. [Applause.] I am entirely in accord with the forceful and splendid speech made by CLAUDE HUDSPETH, of Texas. [Applause.] He knows more about Mexico than I do. Before leaving New Orleans I felt it my duty to telegraph to Secretary Kellogg, as a Representative of the people of New Orleans, that I was entirely in accord with the American policy announced by him, and subsequently indorsed, approved, and reannounced by the President of the United States in one of the best American messages ever given to the American people. [Applause.] I want to say, Mr. Chairman and gentlemen of the committee, that if the Secretary of State had stood upon the doctrine announced by him, that it was the duty of the American Government to protect American life and American property, that that doctrine would have been unchallenged throughout the United States of America. [Applause.]

With all due respect to him, I think it was not good policy for him to inject the Monroe doctrine, which was not in question, nor the statement that he made with reference to Bolsheviks in America. There are not enough Bolsheviks or communists on this continent to be a serious menace to the United States of America. [Applause.] And the Monroe doctrine, high as it is in our esteem and reverence, is no higher, in my judgment, than the duty of the American Government to protect American lives and property wherever American lives and property may be situated. [Applause.]

I remember, Mr. Chairman, how before the Spanish-American War American prestige had fallen so low that it was generally thought that it invited insult for a man to be known as an American when he was in Central America or South America or across the Atlantic Ocean. And in contrast with that discreditable attitude and mean position was the declaration, that became a commonplace, that an Englishman and his property were respected any place, because the world knew he had the guns of his mother country, England, behind him. American prestige revived after the Spanish-American War, and then it became safe for Americans, encouraged by our Government, to make investments abroad. Are we, through our Department of Commerce and our journals and the general American attitude, to encourage Americans to invest their

funds abroad, which makes for employment at home as well as abroad—are we to encourage these investments and then deny protection to those investments?

I do not understand the reason for the distinction between property in oil and property in banana plantations. Of course, there is a sinister significance given to oil recently by those who have an evil slant to their minds; but the honest investor in oil is as much entitled to the protection of the American Government as the investor in mahogany or in banana fields in Nicaragua. And all of them are entitled to our full support. Of course, life is supposed and generally conceded to be, as a legal, political, and social proposition, above property. Yet property is the basis of every civilization. Are we to deny to the big fruit companies or the lumber and mahogany companies the support and protection that is due to them because they made investments predicated upon the faith that they had in a Government that would protect them in their rights?

I have been in Mexico on two or three occasions. I went with university managers who were conducting there geologists and archaeologists and learned men, once, notably, to the Maya ruins of Palenque. We had to go through miles and miles of Mexican jungle. I went through Chiapas and through Yucatan and Tabasco, and I had frequent opportunity to talk to young Americans representing the great oil interests of our citizens. I know that they expect a firm American policy to be enforced.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. O'CONNOR of Louisiana. May I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'CONNOR of Louisiana. I want to say to those who are altruistically inclined or who forget the stern realities of human existence that Mexicans and Costa Ricans and Panamanians and Nicaraguans are benefited by contact with the American race. Neither Panama nor Nicaragua, neither Santo Domingo nor Haiti have been adversely affected by coming in contact with our marines, and it is only fair to say that we are benefited by contact with them. That is my view from my standpoint, although I am not attempting to justify the presence of marines in any part of Central America on the ground that we are benefactors and that our presence would uplift them, spiritually or otherwise. I justify their presence solely upon the ground that it is to protect American lives and property. Let the gentlemen who prate about the rights of the Nicaraguans to elect their officials, which they assume we have denied them because the executive department recognized Diaz and not Sacasa, take note of the general suspicion that our own officials at home may not have been honestly elected and find that human nature expresses itself as well sometimes along what are considered evil lines in the United States as down in Central America and in Mexico, which we refer to as the Middle Americas. I have been in nearly all of these States. I think I understand their people. There is not a chance of war against the United States by them. Let me say this, and I will close—not one in a hundred of the revolutionists has any property.

But I rose, Mr. Chairman, to say a few words in regard to desertions from our Army. General Reilly some time since made a statement with reference to the number of desertions that take place in our Army. I have always been in favor of a generous and liberal treatment of all our soldiers. The neglect that has been suffered by our Indian war veterans is the result possibly of a paucity of numbers and inability to concentrate their efforts, but their condition has gone unnoticed. They have had no divine poet to sing of their hardships, their valor, their heroism, and their neglect. Apparently they are going to their graves unnoted and unrequited by their Government, which they have served so faithfully and so well.

All classes of our citizens, as the result of the wonderful prosperity of this country, are enjoying lucrative and remunerative returns, but the poor, dispirited, and broken-hearted fellow—because you can not contemplate anybody else joining or enlisting as a regular in peace times in the United States Regular Army—exists on a subsistence of approximately 40 cents a day and a pay of \$30 a month. In all probability out of the \$30 a month must come funds in order to secure the proper nourishment which 40 cents a day will not give. Street-car conductors, motormen, policemen, firemen, chauffeurs, and men employed in similar occupations are receiving lucrative and remunerative salaries and wages, and justly so, and I

rejoice in the fact on which they are able to support and dwell with their families in a contented way, but the American Tommy Atkins, as far removed from his superior officers as though the Atlantic Ocean rolled between them socially, so far from them that no gulf is as deep as that which separates them—this poor American joins the Army in peace time—maybe as the result of despair or because of his inability to join in the civil life of the country—finds himself confined to \$30 a month, and yet you wonder why there are so many desertions. As the legalists say, "Res ipsa loquitur." The thing speaks for itself more eloquently than ever my tongue could express their miseries and state what should be right. [Applause.]

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. McSWAIN rose.

The CHAIRMAN. For what purpose does the gentleman from South Carolina rise?

Mr. McSWAIN. For the purpose of making a motion to strike out the last two words.

The CHAIRMAN. The gentleman from South Carolina is recognized for five minutes.

Mr. McSWAIN. Mr. Chairman and gentlemen, the last portion of the remarks of the distinguished gentleman from Louisiana [Mr. O'CONNOR], being pertinent to the bill under consideration, is also very pertinent to the issue as to what should be done in our Army with reference to the matter of desertions. As a matter of fact, there were 13,000 desertions from the Army during the last fiscal year. About 5,000 of those who had deserted and were so marked returned to duty, whether by apprehension or fear of dire consequences we know not, and practically 8,000, so far as we can tell from the record here, continue in desertion or have been tried by court-martial. That was more than 10 per cent of the Army that deserted and slightly less than 10 per cent continue in desertion. That is a very serious situation.

I am speaking not so much for Congress, or with reference to any pending legislation, as I am taking this occasion to speak, in a spirit of friendly counsel, to the powers that be who determine the psychological atmosphere in the Army. Now, any great industrial captain who found 10 per cent of his employees quitting, after notice, would realize that there was something wrong with his organization. We never find in industry men deserting, leaving their pay check uncashed and leaving their future address unknown. Now, further, we do not find the officers in the Army deserting. We do not find the cadets in the West Point Academy deserting, and they have a hard time of it; they have to study hard and have to work hard; they have the most severe discipline of any body of men, I suppose, in this country. We do not find the cadets from the Naval Academy at Annapolis deserting. Instead of finding officers deserting, we now find about 3,000 of the officers on the pay roll at the present time who were emergency officers during the World War and who are affected by a bill that is now pending which may decapitate them officially, using whatever influence their relatives may have with Members of Congress, to see that that bill does not become a law, so that they may not be removed from the official pay roll of our Army. I know of my personal knowledge of at least 12 or 14 men who were emergency officers during the World War who are anxious, eager, and using every possible effort they can to get back into the Army as officers.

Now, here is the trouble, I believe, and I submit these remarks in the best of faith to that gallant, scholarly, and knightly gentleman who is now Chief of Staff, General Summerall. [Applause.] I ask him, as a friend of the institution, to see whether or not there is something wrong. Have a study made, examine enlisted men, especially deserters. Why does not the cadet at the academy desert? He has a hard time, just as hard as Private Tommy Atkins and maybe a little harder. The reason is this: The fellow at the academy sees a promising future, while Tommy Atkins sees no future for him in the institution of which he finds himself a part. A fellow goes into a bank at the equivalent of \$21 a month, because \$21 a month is in addition to a house, rations, and clothing.

A fellow goes in as messenger in a bank and holds down one stool in the bank for 5, 10, or 15 years at a low salary. The young lawyer occupies a very subordinate position at low salary for many years. Even the locomotive fireman or train brakeman knows he has a chance to be promoted, possibly become railroad president. The clerk in the store sticks to a poorly paid job in hope of becoming manager or proprietor. Why are young men willing to enter at the bottom of all industries at little salary, work hard, and never desert? Why? Be-



cause he hopes and believes that by the progress of time, by the death of men above and promotion from the bottom, due to merit, experience, and ability, he will climb to the top. We know from observation that although there be no strict legal chasm, yet the Tommy Atkins at the bottom, whatever may be his merit and ambition, will never be able to pass the chasm of which the gentleman from Louisiana speaks. This can and should be corrected. I know how to do it.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. ROY G. FITZGERALD. Mr. Chairman, I move to strike out the last four words.

I rise at this time to call the attention of the committee and of the House to the humiliating position to which America has sunk in the last few years in the navigation of the air. One by one the world records proudly held by Americans in 1923 have dropped away until among the important records in the navigation of the air America now holds none. Of 168 possible world records, recognized by the Federation Aeronautique Internationale, America holds but 10, and those of comparatively little importance.

Of the five important records, the record for speed, the record for distance, the record for airline distance, the record for duration, and the record for altitude—the great records in aerial navigation—have been lost to the United States, and to-day Americans bow to the superiority of the French and Italians in an art in which the Americans Wilbur and Orville Wright were pioneers. Congress is responsible for the national defense. Aviation is its most economical and potent form. While, as since the most ancient times, the infantry will continue to form the backbone and main strength of a nation at war, and tanks, cavalry, artillery have their place, there is no branch of the national defense which can with its equipment of machine guns and bombs of gas and high explosive provide so economically the insurance of safety for our free institutions and our enormous concentration of material wealth. It is especially desirable because aircraft is preeminently a weapon of national defense and not calculated in the absence of great numbers of carrier ships to cause apprehension in the minds of other nations.

The Army especially has been in the last seven years largely dependent upon the deteriorating supplies that were left over from the war. The Air Service has been without proper equipment and housing. Its splendid personnel has been dispersed into civil life by the niggardly behavior of this administration. Under the dynamic influence of General Mitchell, whose name was alluded to this afternoon, and who was martyred for his great service, the country aroused itself for a moment and we did at the last session add to the organization of the Nation for aerial navigation an Assistant Secretary of War for the air and an Assistant Secretary of the Navy for the air and an Assistant Secretary of Commerce for the air, yet with this economy which has come to be a fetish which we worship so blindly and without discrimination that we have not provided and are not providing the proper and adequate equipment for these services in either one of the three branches of the National Government. And part of what we are doing seems to be at the expense of other branches of the national defense, for our treatment of the Infantry and other arms is parsimonious, un-American, reprehensible, and dangerous to our safety.

I ask unanimous consent to extend my remarks in the RECORD by introducing the accurate and official tables showing how the records of America have been lost.

Since July of 1926—in six months—seven of America's air records have gone to other countries.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. ROY G. FITZGERALD. Let us face these facts as legislators conscious of our responsibilities and loyal to our trust.

I am indebted to Porter Adams and C. F. Schory, of the National Aeronautic Association of the United States of America, for the checking and rechecking of these tables:

World speed records recognized by the Federation Aeronautique Internationale

Pilot	Date	Place	Speed, K.P.H.	Speed, M.P.H.	Country
Santos-Dumont	Nov. 12, 1906	Bagatelle	41.202	25.66	France.
Henri Farman	Oct. 26, 1907	Issy-les-Moulineaux	52.700	32.74	Do.
Tissandier	May 20, 1909	Pau	54.810	34.05	Do.
Curtiss	Aug. 23, 1909	Reims	60.821	43.38	Do.
Bleriot	Aug. 24, 1909	do.	74.318	46.11	Do.

World speed records recognized by the Federation Aeronautique Internationale—Continued

Pilot	Date	Place	Speed, K.P.H.	Speed, M.P.H.	Country
Bleriot	Aug. 28, 1909	Reims	76.955	47.84	France.
Latham	Apr. 23, 1910	Nice	77.579	48.19	Do.
Morane	July 10, 1910	Reims	106.508	66.18	Do.
LeBlanc	Oct. 29, 1910	New York	109.756	68.20	United States.
Nieuport	Mar. 9, 1911	Chalons	108.958	67.70	France.
LeBlanc	Apr. 12, 1911	Pau	111.801	69.47	Do.
Nieuport	May 11, 1911	Chalons	119.760	74.41	Do.
LeBlanc	June 12, 1911	Etampes	125.000	77.67	Do.
Nieuport	June 16, 1911	Chalons	130.057	80.81	Do.
Do	June 21, 1911	do.	133.136	82.72	Do.
J. Vedrines	Jan. 13, 1912	Pau	145.161	90.20	Do.
Do	Feb. 22, 1912	do.	161.200	100.22	Do.
Do	Feb. 29, 1912	do.	162.454	100.81	Do.
Do	Mar. 1, 1912	do.	166.821	103.65	Do.
Do	Mar. 2, 1912	do.	167.910	104.33	Do.
Do	July 13, 1912	Reims	170.777	106.11	Do.
M. Prevost	June 17, 1913	do.	179.820	111.73	Do.
Do	Sept. 27, 1913	do.	191.897	119.23	Do.
Do	Sept. 29, 1913	do.	203.850	126.66	Do.
Sadi-Lecointe	Feb. 7, 1920	Villacoublay	275.262	171.03	Do.
Jean Casale	Feb. 28, 1920	do.	283.464	176.13	Do.
De Romanet	Oct. 9, 1920	Buc	292.682	181.86	Do.
Sadi-Lecointe	Oct. 10, 1920	do.	296.694	184.35	Do.
Do	Oct. 20, 1920	Villacoublay	302.528	187.98	Do.
De Romanet	Nov. 4, 1920	Buc	309.012	192.00	Do.
Sadi-Lecointe	Dec. 12, 1920	do.	313.043	194.51	Do.
Do	Sept. 26, 1921	Villesauvage	330.275	205.22	Do.
Do	Sept. 21, 1922	do.	341.23	212.01	Do.
B. G. Mitchell	Oct. 13, 1922	Detroit	358.836	222.97	United States.
Sadi-Lecointe	Feb. 15, 1923	Istres	375.000	233.00	France.
Lieut. R. L. Maughan	Mar. 29, 1923	Dayton, Ohio	380.751	236.58	United States.
Lieut. Brow	Nov. 2, 1923	Mineola, N. Y.	417.59	259.47	Do.
Lieut. Williams	Nov. 4, 1923	do.	429.025	266.59	Do.
Warrant Officer Bonnett	Dec. 11, 1924	Istres	448.171	278.48	France.

Tabulation of world records in classes now recognized by the Federation Aeronautique Internationale January 1, 1927

Total number of aeronautical records	168
Records held by France:	
Free balloons	6
Dirigibles	1
Airplanes	21
Seaplanes	4
Glider	3
Helicopters	1
	36
Records held by Italy:	
Dirigibles	3
Seaplanes	9
	12
Records held by United States:	
Airplanes	4
Seaplanes	8
	12
Records held by Switzerland, airplanes	7
Records held by Germany, free balloons	3
Records held by Denmark, seaplanes	3
Records not yet made	95

Tabulation of world records in classes now recognized by the Federation Aeronautique Internationale January 1, 1927

Class A. Free balloons (27 records):	
Records held by—	
Germany	3
France	6
Records not yet made	18
Class B. Dirigibles (16 records):	
Records held by—	
Italy	3
France	1
Records not yet made	12
Class C. Airplanes (45 records):	
Records held by—	
United States Air Corps	4
France	21
Switzerland	7
Records not yet made	13
Class C2. Seaplanes (45 records):	
Records held by—	
United States Air Corps	1
United States Navy	17
France	4
Italy	9
Denmark	3
Records not yet made	21
Class D. Gliders (5 records):	
Records held by France	3
Records not yet made	2
Class G. Helicopters (29 records):	
Records held by France	1
Records not yet made	28

For speed in climb (classes C, C 2, and G) 1 record, not yet made.

<sup>1</sup> Includes 2 records by Major De Bernardi, winner of Schneider cup race.

Tabulation of world records for free balloons, airships, airplanes, seaplanes, gliders, and helicopters in classes now recognized by the Federation Aeronautique Internationale

	Jan. 1, 1923	July 1, 1923	Jan. 1, 1924	July 1, 1924	Jan. 1, 1925	July 1, 1925	Jan. 1, 1926	July 1, 1926	Oct. 1, 1926	Jan. 1, 1927	Pilot	Record performance
<b>CLASS A. BALLOON</b>												
All categories:												
Duration	Germany	Germany	Germany	Germany	Germany	Germany	Germany	Germany	Germany	Germany	Kaulen	87 hours.
Distance	do	do	do	do	do	do	do	do	do	do	Berliner	1,896.9 miles.
Altitude	do	do	do	do	do	do	do	do	do	do	Suring and Berson	35,424 feet.
<b>RECORDS BY CATEGORY</b>												
First category:												
Duration	France	France	France	France	France	France	France	France	France	France	Cormier	22 hours 34 minutes.
Distance	do	do	do	do	do	do	do	do	do	do	do	499 miles.
Second category:												
Duration	do	do	do	do	do	do	do	do	do	do	Dubois	23 hours 28 minutes.
Distance	do	do	do	do	do	do	do	do	do	do	Cormier	499 miles.
Third category:												
Duration	do	do	do	do	do	do	do	do	do	do	Dubois	23 hours 28 minutes.
Distance	do	do	do	do	do	do	do	do	do	do	Cormier	499 miles.
<b>CLASS B. AIRSHIPS</b>												
Duration	Italy	Italy	Italy	Italy	Italy	Italy	Italy	Italy	Italy	Italy	Castracane and Castruccio	15 hours.
Distance	do	do	do	do	do	do	do	do	do	do	do	503 miles.
Distance, air line, altitude	France	France	France	France	France	France	France	France	France	France	Cohen	10,102 feet.
<b>SPEED</b>												
By country:												
France	7	7	7	7	7	7	7	7	7	7		
Italy	2	2	2	2	2	2	2	2	2	2		
Germany	3	3	3	3	3	3	3	3	3	3		
Total, spherical balloon and airship.	12	12	12	12	12	12	12	12	12	12		
<b>CLASS C. AIRPLANES (WITHOUT REFUELING IN FLIGHT)</b>												
Duration	France	United States	United States	United States	France	France	France	France	France	France	Drouhin and Landry	45 hours, 11 minutes, 59 seconds.
Distance	do	do	do	do	United States	United States	do	do	do	do	do	2,734 miles.
Distance air line	do	do	do	do	France	France	do	do	do	do	do	3,215 miles.
Altitude	United States	United States	France	France	France	do	do	do	do	do	do	40,820 feet.
Maximum speed	France	do	United States	United States	do	do	do	do	do	do	do	278.48 miles per hour.
Speed for—												
100 kilometers	do	do	do	do	United States	United States	United States	United States	United States	United States	Bettis	249.3 miles per hour.
500 kilometers	do	do	do	do	France	France	France	France	France	France	Sadi-Lecointe	190.5 miles per hour.
1,000 kilometers	do	do	do	do	United States	do	do	do	do	do	Lasne	154.2 miles per hour.
2,000 kilometers	do	do	do	do	do	United States	do	do	do	do	do	139.9 miles per hour.
<b>PAY LOAD</b>												
With 500 kilos pay load:												
Duration				France	United States	United States	United States	United States	Switzerland	Switzerland	Mittelholzer	14 hours, 43 minutes, 29 seconds.
Distance				do	do	do	do	France	do	do	do	1,429.7 miles.
Altitude		Spain	Spain	Argentina	do	do	do	United States	United States	United States	Harris	28,143 feet.
Speed for—												
100 kilometers					Czechoslovakia	France	France	France	France	France	Lasne	174.6 miles per hour.
500 kilometers					United States	do	do	do	do	do	do	155.1 miles per hour.
1,000 kilometers											do	146.6 miles per hour.
2,000 kilometers									Switzerland	Switzerland	Mittelholzer	101.3 miles per hour.
With 1,000 kilos pay load:												
Duration	England	England	England	France	United States	United States	Holland	France	do	do	do	10 hours 5 minutes.
Distance	do	do	do	do	do	do	do	do	do	do	do	869.9 miles.
Altitude	England	France	France	France	France	France	do	do	France	France	Coupet	21,457 feet.
Speed for—												
100 kilometers							do	do	do	do	Lasne	153.1 miles per hour.
500 kilometers									Switzerland	Switzerland	Mittelholzer	101.3 miles per hour.
1,000 kilometers									do	do	do	100.6 miles per hour.
With 2,000 kilos pay load:												
Duration				France	United States	United States	France	France	France	France	Bajac and Lamotte	4 hours 4 minutes 13 seconds.
Distance				France	France	France	France	France	do	do	do	310.6 miles.
Altitude				France	France	France	France	France	do	do	Bossoutrot	16,371 feet.



Speed for— 100 kilometers									do.	do.	Bajac and La- mothe.	93.2 miles per hour.
500 kilometers									do.	do.	do.	91.6 miles per hour.
With 5,000 kilos pay load: Duration							France	France	France	do.	Bossoutrot	1 hour 12 minutes
Altitude							do.	do.	do.	do.	do.	21 seconds.
Greatest pay load to 2,000 meters altitude.	England	England	England	France	France	France	do.	do.	do.	do.	Bossoutrot	11,765 feet.
CLASS C. AIRPLANES (WITH REFUELING IN FLIGHT)												6,000 kilogrammes.
Duration				United States	United States	United States	United States	United States	United States	United States	Smith and Rich- ter.	37 hours, 15 minutes,
Distance				do.	do.	do.	do.	do.	do.	do.	do.	14 seconds.
By country:												3,293 miles.
United States	1	8	7	9	12	10	6	5	4	4		
France	6	1	2	7	7	11	18	21	20	21		
England	3	2	2									
Spain		1	1									
Argentina				1								
Czechoslovakia					1							
Switzerland							1		7	7		
Total, airplane records	10	12	12	17	20	21	25	26	31	32		
CLASS C2. SEAPLANES (WITHOUT REFUELING IN FLIGHT)												
Duration	England	Italy	United States	United States	United States	United States	United States	United States	United States	United States	Schildhauer and Kyle.	28 hours, 35 minutes,
Distance	do.	do.	do.	do.	do.	do.	do.	do.	do.	do.	Wead and Price.	27 seconds.
Distance air line											Rodgers	994 miles.
Altitude			France	France	France	France	France	France	France	France	Sadi-Lecointe	1,841 miles.
Maximum speed		Italy	Italy	Italy	United States	United States	United States	United States	United States	United States	De Bernardi	29,462 feet.
Speed for—												258.8 miles per hour
100 kilometers	England	do.	do.	do.	do.	do.	do.	do.	do.	do.	do.	248.1 miles per hour.
500 kilometers			United States	United States	do.	do.	do.	do.	do.	do.	Ostie	161.1 miles per hour.
1,000 kilometers			do.	do.	do.	do.	do.	do.	do.	do.	Bertrandias	101.6 miles per hour.
PAY LOADS												
With 500 kilos pay load: Duration			United States	United States	United States	United States	United States	United States	United States	United States	Halland	7 hours, 35 minutes,
Distance			do.	do.	do.	do.	do.	do.	do.	do.	Passaleva	54 seconds.
Altitude			do.	France	France	France	France	France	France	Italy	Dargue	590.3 miles.
Speed for—												17,962 feet.
100 kilometers						Italy	Italy	United States	do.	do.	Demongent	126.3 miles per hour.
500 kilometers						do.	do.	Italy	Denmark	Denmark	Landman	112.0 miles per hour.
With 1,000 kilos pay load: Duration			United States	United States	United States	United States	United States	United States	United States	Italy	Passaleva	5 hours 41 minutes
Distance			do.	do.	do.	Italy	Italy	Italy	Denmark	do.	do.	7 seconds.
Altitude			do.	France	France	France	France	France	France	France	Parnier	590.3 miles.
Speed for—												13,297 feet.
100 kilometers					United States	Italy	Italy	Italy	Denmark	Denmark	Landman	115.2 miles per hour.
500 kilometers					do.	do.	do.	do.	do.	do.	do.	112 miles per hour.
With 2,000 kilos pay load: Duration			United States	United States	United States	United States	United States	United States	United States	Italy	Passaleva	5 hours 41 minutes
Distance					do.	Italy	Italy	Italy	Italy	do.	do.	7 seconds.
Altitude			United States	United States	do.	do.	do.	do.	do.	do.	Guido Guidi	590.3 miles.
Speed for—												9,862 feet.
100 kilometers					do.	United States	do.	do.	do.	do.	Passaleva	109.3 miles per hour.
500 kilometers											do.	107.8 miles per hour]
Greatest pay load to 2,000 meters altitude.			United States	France	France	Italy	Italy	Italy	Italy	do.	Guido Guidi	4,409 pounds.
CLASS C2. SEAPLANES (WITH REFUELING IN FLIGHT)												
By country:												
England	3		2	2		8	9	8	4	9		
Italy		4										
United States			13	10	15	11	10	11	11	8		
France			1	4	5	3	3	3	4	4		
Denmark									4	3		
Total, seaplane records	3	4	16	16	20	22	22	22	23	24		

<sup>1</sup> By Italian pilot De Bernardi, winner of Schneider cup.

Tabulation of world records for free balloons, airships, airplanes, seaplanes, gliders, and helicopters in classes now recognized by the Federation Aeronautique Internationale—Continued

	Jan. 1, 1923	July 1, 1923	Jan. 1, 1924	July 1, 1924	Jan. 1, 1925	July 1, 1925	Jan. 1, 1926	July 1, 1926	Oct. 1, 1926	Jan. 1, 1927	Pilot	Record performance
<b>CLASS D. GLIDERS</b>												
Duration.....	France.....	France.....	France.....	France.....	France.....	France.....	France.....	France.....	France.....	France.....	Massaux.....	10 hours, 19 minutes, 43 seconds.
Distance air line.....			do.....	do.....	do.....	do.....	do.....	do.....	do.....	do.....	Thoret.....	5.03 miles.
Altitude.....		France.....	do.....	do.....	do.....	do.....	do.....	do.....	do.....	do.....	Descamps.....	1,788 feet.
<b>CLASS G. HELICOPTERS</b>												
Distance air line.....				do.....	do.....	do.....	do.....	do.....	do.....	do.....	Pescara.....	2,414 feet.
<b>PAY LOADS</b>												
With 200 kilos pay load:					do.....	do.....	do.....	do.....	do.....	do.....	Oemichen.....	1 meter.
Altitude.....												
Total, gliders and heli- copters, France.	1	2	3	4	5	5	5	5	5	5		



The pro forma amendments were withdrawn.

Mr. LAGUARDIA. Mr. Chairman, I have an amendment, page 13, line 15, strike out the words "any civil officer or."

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 13, line 15, strike out the words "any civil officers or."

Mr. LAGUARDIA. Mr. Chairman, the purpose of the amendment is to not to make available any of this appropriation for payment of a reward to a civil officer who apprehends a deserter. It has always been customary to award such pay to a citizen, but the practice of paying these rewards to civil officers is very bad, because very often these men are induced to stay overtime when they are out on leave, and there is a sort of arrangement between runners and civil officers to keep these men out only for the purpose of obtaining the reward. I simply submit this to the committee. I believe it is a very bad practice to offer this reward of \$50 to civil officers for apprehending deserters.

Mr. BARBOUR. Mr. Chairman, in opposition to the amendment offered by the gentleman from New York, I simply wish to say that this is a provision that has been carried in this bill for a great many years, and it provides for the payment of certain rewards to civil officers for the apprehension of deserters.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read to page 14, line 20, of the bill.

Mr. BARBOUR. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16249, the War Department appropriation bill, and had come to no resolution thereon.

#### LEAVE TO FILE MINORITY VIEWS

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that minority members of the Agricultural Committee may have until 12 o'clock midnight next Saturday to file minority views on the bill H. R. 15474, the farm relief bill.

The SPEAKER. Is there objection?

There was no objection.

#### SENATE BILL REFERRED

Under clause 2 of Rule XXIV, a Senate bill of the following title was taken from the Speaker's table and referred to the following committee:

S. 2839. An act for the relief of Capt. James A. Merritt, United States Army, retired; to the Committee on Military Affairs.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled Senate bills of the following titles, when the Speaker signed the same:

S. 1730. An act to authorize the payment of indemnity to the Government of Great Britain on account of losses sustained by the owners of the British steamship *Mavisbrook* as a result of collision between it and the U. S. transport *Carolinian*;

S. 3444. An act to amend the act of February 11, 1925, entitled "An act to provide fees to be charged by clerks of the district courts of the United States";

S. 3992. An act to provide for the purchase of land for use in connection with Camp Marfa, Tex.;

S. 4252. An act setting aside certain land in Douglas County, Oreg., as a summer camp for Boy Scouts;

S. 4533. An act extending to lands released from withdrawal under the Carey Act the right of the State of Montana to secure indemnity for losses to its school grant in the Fort Belknap Reservation; and

S. 5231. An act authorizing the sale of land at margin of the Rock Creek and Potomac Parkway for construction of a church and provisions for proper ingress and egress to said church building.

#### THE OBLIGATIONS OF PHILIPPINE INDEPENDENCE

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating a statement made by Vicente Villamin, a Filipino lawyer and economist, at the American Academy of Political and Social Science in Philadelphia on January 15, 1927.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. THATCHER. Mr. Speaker, under the leave to extend my remarks I present the following address:

The president of the academy, Colonel Thompson, ladies and gentlemen, preparedness for independence is a proposition of relativity, comprehending a multiplicity of conditions and circumstances. Accordingly, to the query, Are the Filipinos ready for independence? I reply: They are. But to the less academic and more relevant query, Is it wise for the Filipinos to separate from the United States now? I reply: It is not.

There is, indeed, in the Filipino people the philosophical foundation of independence—the natural longing to exist as a distinct political organism. Particularly during the last three decades consciousness of country and patrimony has become stronger by the impact of the centripetal force of a resurgent nationalism. Nevertheless, to those Filipinos who would build a nation upon sound and secure foundation the rational preoccupation should be, Would the immediate and complete realization of that longing enrich and invigorate and perpetuate national life?

An analysis of prevailing environmental conditions and national psychological tendencies compels a negative reply. This conclusion connotes not fear but prudence, not surrender but common sense. It spells national self-preservation.

To a Philippine nation the problem of international security would be of the gravest character. This embraces the disturbing questions of imperialism, militarization, extraterritoriality, mass immigration, economic penetration, and involvement in the imponderable and turbulent Asian militarized politics.

There is yet no discoverable evidence that the machineries of international conciliation and adjustment, including the League of Nations, have functioned satisfactorily in the Far East. The fetching phrase world conscience is still endowed with as many interpretations as there are countries in the world multiplied by the number of their respective interests, which signifies ad infinitum.

I am here expressing a disappointment, and not a wish, having especially in mind the contemporary developments in the Republic of China. Certainly with the advent of a better international order, which, let us hope, might soon eventuate, the Philippines would then be justified in going forth as a sovereign nation with more than a Chinaman's chance to exist in tolerable tranquillity.

At present the choice for the Filipinos is not between American sovereignty and Filipino nationhood, but between America and some other nation. Here I can state, subject to no correction, that the Filipinos are for the United States of America in preference to any other nation the sun sees.

I hasten to declare that if the choice were between Filipino nationhood with its onerous responsibilities and American sovereignty with its well-nigh indispensability I would be, with the consent of all my faculties, for a Filipino nationhood.

He is unfit to live if he believes himself or his country unfit to enjoy liberty. What I am thinking of is the peace and permanency of the future Filipino nation, even as it should go through the peradventures of national independent existence. It is for the Filipinos at this time of opportunity and prosperity, while the friendly and steadying hand of America is extended them, to build well and conscientiously.

Besides the issue of international security there are vital considerations encompassed in the independence question that only the irresponsible, the thoughtless, and the heartless would ignore.

Separation from the United States means to the Philippines loss of tariff protection, dislocation of industries, depletion of foreign and domestic commerce, increase of invisible debts, dearth of capital and death of credit, poverty, unemployment and diminished labor's compensation, collapse of the exchange position, removal of American support to the Philippine financial structure, increased taxation while the people's taxpaying capacity is reduced to impotence, and the resultant chaos in the social order.

Separation also means exclusion of Filipinos from the United States under the immigration law, discharge of Filipinos from the United States service, loss of American military and diplomatic protection, and addition to the contracted Philippine budget of a heavy item of expenditures for defensive establishments, to the detriment of the work of internal economic and social amelioration.

These are facts, not theories, and they are vastly important facts. They concern very deeply the poverty or the prosperity, the peace or the absence of it, of the Filipino people. He little understands the meaning of moral concepts who disregards poverty as a practical moral question of the highest moment and forced idleness as a grave social menace.

For the sake of the Filipino people the situation should be faithfully surveyed and frankly presented. It should be understood, disabusing ourselves of the notion that the needs of mortal life can be fully met by merely increasing verbal tonnage, or toying with the totems and

taboos of conventional freedom, or asserting hypotheses of no practical application, or nursing an unrequited love for the absolute and the perfect, or brazenly presuming to own a copyright on intelligence and patriotism.

From postulates I now move to actualities. A few months ago the Manila cigar industry revised its wages downward. As a result, 4,000 men and women walked out on a strike. It was represented that the falling off in the demand in the United States justified the cutting down of the wages.

The workers simply urged the impossibility of living decently on the reduced wage scale, insisting that the former scale was the irreducible minimum. Efforts to arbitrate the question proved unavailing because it was a matter of the demands of life not being arbitrable. The workers struck to preserve their standard of living and they stuck to their guns until the employers had to give in.

This seemingly unrelated case smokes out the grandiloquent disquisitions about immediate and absolute independence. For if the Philippines should separate from the United States not only would labor's compensation suffer substantial diminution, but the majority of the workers would lose their employment altogether. This applies to the major industries of the Philippines—the very prop of the national structure.

I am afraid we are exercising ourselves too strenuously over political liberty. It is human liberty, of which political liberty is but a fraction, that should engage our thoughts more. Government is only an instrumentality for the promotion of collective well-being, with collective conscience as its motor power, reason its guide, and service its objective. Government exists for the people, not the people existing for it. Its sociological vindication vanishes when it becomes a block to progress and a blight on life.

Liberty is not alone a matter of laws and constitutions, but it is also a question of compensation of efforts. A man who works without compensation is a slave, and the farther away he moves from that position the nearer he comes to realizing real individual liberty.

Let me revert to the question of political independence. The enlightened and unselfish opposition to it is predicated on the grounds of international security and economic realities and not on the fiction of Filipino mental incapacity or on a negation of the moral right of the Filipinos to direct their own destiny.

The question of mental capacity is immaterial in deciding upon absolute separation from the United States. For if all the Filipinos were doctors of philosophy would that fact change the economic needs and the political geography of Japan? Would it alter the political and economic policies of Great Britain in Australasia and the Pacific? Would it open to the Philippines the tariff-inclosed markets of the United States? Mental capacity is only material when considering the degree of local self-government that should be extended to the Filipinos. So let us not lose both energy and temper expatiating upon brain convulsions and their relation to the mechanics of government and politics.

My plea, then, is for the Filipino intellectual, political, and civic leaders to address themselves to the prosaic, but essential, task of fact-finding and fact-facing in connection with the fundamental political problem of the Filipino people—a task, I dare say, that will accelerate and solidify the now dispersed forces operating toward eventual independence for the Philippines.

I am galvanized to the conviction that until and unless this is done the Philippine problem will continue to be a prolific source of fighting, patrioteering, bullyism, charlatanism, and obscurantism, yea, 25 years from now, if this learned academy would retain its interest in the Philippine question, we would again be discussing the question in the same way as to-night, with the only difference that then our voices would carry the tremor of age advanced a quarter of a century.

As I reach the end of my discourse, I wish to leave this thought: The Filipino people deserve to be intelligently informed and unselfishly led.

We have an undying faith in the great future of our country. I say in all solemnity: From that faith it is death to apostatize.

#### OUR PRESENT IMMIGRATION POLICY SHOULD BE UPHELD

Mr. BACON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a brief statement in support of the immigration policy signed by 34 distinguished professors of American universities.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BLANTON. Mr. Speaker, reserving the right to object, in that connection the gentleman from New York is familiar with the bill introduced by the gentleman from Louisiana [Mr. ASWELL] to require the registration of aliens?

Mr. BACON. I have read the bill.

Mr. BLANTON. It is a fine measure. Does the gentleman know that certain universities are connected with an organization that have made an attack upon that bill, have printed

it in six different languages, and circulated that propaganda throughout the land?

Mr. BACON. I will state to the gentleman that this matter I propose to insert is in support of the immigration policy as outlined in the bill of 1924.

Mr. BLANTON. And contains none of the propaganda that I have mentioned?

Mr. BACON. No.

The SPEAKER. Is there objection?

There was no objection.

Mr. BACON. In accordance with permission given to me, I insert herewith in the RECORD a statement signed by 34 distinguished and learned Americans in favor of upholding our present immigration policy. I am glad to call it to the attention of Members of Congress. The statement is as follows:

We, the undersigned, all citizens of the United States, impressed with the vital importance to the country of maintaining and perfecting the present system of immigration restriction, respectfully submit to the President of the United States, to the Senate, and to the House of Representatives, the following expression of our views with respect to specific aspects of this question.

1. We urge the extension of the quota system to all countries of North and South America from which we have substantial immigration and in which the population is not predominantly of the white race. We believe that without such extension the present restriction of immigration is already inadequate and will become increasingly so in the near future. During each of the last two fiscal years we have been admitting upwards of 75,000 immigrants from Mexico, the West Indies, Brazil, and elsewhere, who are for the most part not of the white race and who, because of their lower standards of living, are able to compete at an advantage with American workers engaged in various forms of agricultural and unskilled labor.

2. We further urge the prompt putting into effect of that provision of the immigration act of 1924, whereby the quotas, after July 1, 1927, at present determined by the number of foreign born of each nationality here in the year 1890, are to be adjusted so as to conform to the officially estimated number of persons now in the country of each national origin, either by birth or descent. We believe that this permanent basis for fixing the quotas, already provided for by law, is sound in principle and fair to all elements in the population. Only by this method can that large proportion of our population which is descended from the colonists and other early settlers, as well as the members of the newer immigration, have their proper racial representation in the quotas. We believe that Congress wisely concluded that only by such a system of proportional representation in our future immigration could the racial status quo of the country be maintained or a reasonable degree of homogeneity secured. Without such basic homogeneity, we firmly believe, no civilization can have its best development.

E. G. Conklin, professor of biology, Princeton University; Ulric Dahlgren, professor of biology, Princeton University; L. R. Cary, assistant professor of biology, Princeton University; Kenneth P. Stevens, instructor of biology, Princeton University; E. G. Butler, instructor of biology, Princeton University; Walter M. Rankin, professor of biology, Princeton University; C. F. W. McClure, professor of comparative anatomy, Princeton University; E. Newton Harvey, professor of physiology, Princeton University; William Starr Myers, professor of politics, Princeton University; Philip M. Brown, professor of international law, Princeton University; Edwin S. Corwin, professor of politics, Princeton University; Robert de C. Ward, professor of climatology, Harvard University; E. M. East, professor of biology, Harvard University; J. N. Carver, professor of economics, Harvard University; Joseph Lee, social worker, author; Richards M. Bradley; Edward A. Ross, professor of sociology, University of Wisconsin; J. E. Irelin, professor of sociology, University of Wisconsin; William H. Kieckhefer, professor of economics, University of Wisconsin; John R. Commons, professor of economics, University of Wisconsin; Henry R. Trumbower, professor of economics, University of Wisconsin; Madison Grant, president New York Zoological Society; Henry Fairfield Osborn, president American Museum of Natural History; Robert M. Yerkes, professor of psychology, Yale University; Ellsworth Huntington, professor of geography, Yale University; Irving Fisher, professor of political economy, Yale University; H. P. Fairchild, professor of sociology, New York University; John Johnston, professor of chemistry, Yale University; Eugene N. Foss, president B. F. Sturtevant Co., ex-Governor of Massachusetts; Leon E. Whitney, field secretary American Eugenics Society; C. C. Little, president University of Michigan; Charles B. Davenport; Roswell H. Johnson, president American Eugenics Society; H. H. Laughlin, biological experiment station, Cold Spring Harbor, N. Y.



## FARM RELIEF

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to print in the RECORD some remarks that I made before the Committee on Agriculture on the bill creating a Federal Cotton Corporation.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANKFORD. Mr. Speaker, under leave to have printed in the RECORD a statement by myself before the Committee on Agriculture of the House on the bill to create a Federal cotton corporation, I submit the following:

THE COMMITTEE ON AGRICULTURE,  
HOUSE OF REPRESENTATIVES,  
January 7, 1927.

The CHAIRMAN. Mr. LANKFORD, we will hear from you now, if you desire.

## STATEMENT OF HON. WILLIAM C. LANKFORD

Mr. LANKFORD. Mr. Chairman and gentlemen of the committee, the bill which I introduced deals with cotton only. It is not my idea, of course, to pass a bill, or that there would be a bill passed, dealing with cotton only. I am only offering my bill for the purpose of getting before the committee and before Congress and before the country an idea that I have in reference to this kind of legislation.

It occurred to me that if I had an idea that was worth while and would incorporate it in this bill, dealing with cotton, and if this committee and the Congress should accept my idea as being good, then this committee could work out a bill using the ideas here suggested, including other farm products.

Mr. FULMER. And work your proposition into their bill?

Mr. LANKFORD. Work this proposition into their bill, or that if my idea is worth while, the members of the committee and the Members of Congress from the cotton-growing section could work out my bill and improve it and perfect it so as to reach the cotton situation, and leave to those who live in the wheat section and the corn section the problem of solving their difficulties. You can solve your difficulties better than I can. We can solve our difficulties better than you can, and it occurs to me that if any legislation is to be worked out, worth while to the farmers of this country by a farm relief measure, it must be done by the people of the West working out their problem and the people of the South and the cotton-growing section working out their problem, and the plan as developed by each section being consolidated into one bill, or two bills being passed, each one carrying the idea for the particular section. So, when I left wheat and corn out of the bill it was not because I wanted legislation for the cotton farmer alone.

I will say here that I voted for the Haugen bill when I was the only Member of Congress from my State in either House to vote for it. I voted for it the last time when there were only three from my State to vote for the bill.

The bill that I have introduced, gentlemen of the committee, I find is similar in many respects to a bill introduced by Mr. ASWELL and also the bill introduced by Mr. CRISP, except my bill goes further in some respects, and my bill may be termed extreme in some respects. I have an idea it is all right for a man to be extreme sometimes, especially when there are people extreme the other way. Perhaps we can get a good average.

The bill which I am discussing to-night is patterned to a large extent after the War Finance Corporation act. I used that act as the basis for the wording and shaping of this bill. My bill provides for the creation of a Federal cotton corporation, with \$500,000,000 worth of stock to be subscribed by the Federal Government, with the power to issue bonds and short-term notes to six times the amount of the corporate stock. In other words, it contains the same provisions with reference to stock as are contained in the War Finance Corporation act.

I am not putting that amount in there for the purpose of saying that this amount will be required. I am putting that amount in the bill for the purpose of getting the bill before the committee. I would expect the committee, of course, to use its discretion in figuring out what amount ought to be carried in this kind of a bill.

I am anxious to create, if possible, an organization, Government controlled, Government financed, Government managed, big enough to control the cotton situation. I realize that if the farmers themselves could get together and create some kind of an organization with the same amount of money, they could control the cotton situation. I realize that if each of the cotton-growing States would take stock in the same kind of an organization, that the States could control the cotton situation. I feel that an organization sufficiently large to control production and to control marketing, can also control the price of cotton within reasonable bounds.

I realize that when we get into the field of controlling production, for instance, that we are embarking in a field where there is controversy and where we are going up against a proposition that may be termed unconstitutional. I would like, if possible, for a plan to be worked out whereby the cotton farmer—and when I say the cotton

farmer I mean the wheat farmer, the corn farmer, and others; I am using "cotton farmer" only because my bill deals with the cotton farmer—I would like a plan to be worked out whereby the farmer could every year get a reasonable price for his product and not sell it at a sacrifice, and get a good price, which would pay him to produce it and not be limited in his production. But I do know that when we increase the price and make the price of an article attractive, then the farmer will also plant more cotton, and I feel that it will be a difficult proposition to ever work out a bill or to ever work out a plan which will assure the farmer a reasonable price for his product unless we in some way control production.

I do not like the idea that we are going to control production by making the farmer sell stuff at a sacrifice. That hurts. Mr. Fort said that his plan would work out all right, because the farmer could not afford to make it at that price. If he made nothing out of it, he would be bound to curtail it.

I dislike to see the farmer produce it and then lose on it and have to curtail as a result of that kind of a situation. I am hopeful that we can work out some plan whereby the farmer will curtail his crop without losing on the crop that he will produce from time to time.

My bill carries a plan for the curtailment of the crop. I listened with very much interest to the splendid statement made by Mr. McKEOWN in reference to his plan. Let me say that I did not introduce my bill for the purpose of getting my plan before the committee—my plan for the curtailment of the crop—but I am convinced that we must, if we are to assure a reasonable price for what he produces, keep him from bringing about overproduction. I am reluctantly putting in the bill a suggestion of the curtailment of the crop, because I feel I am forced to put it in there if I also put in the bill a provision which will give the farmer not only what it cost him to produce but a profit on his crop.

I am not wedded to the proposition as laid down by me for the curtailment of crop. My bill simply provides that this board which is created and set up under its provisions shall determine each year, before the 1st of January, the number of acres which could be planted in cotton during the next year without probably producing more cotton than the world demands; then that board should determine the amount of acres that should be planted in each county, giving to each county the same fractional part or proportional part of acreage that each county planted in the year 1926, just ended. That, of course, would give every county the same number of acres to plant, or the same proportion of acres to plant that each county planted of the entire acreage last year. Then this board should send notices to each county, to be posted in the post office, of the fractional part of the land cultivated that could be planted in cotton without the farmer paying any fee whatever. My bill does not provide that he shall not plant above the amount allotted. The bill only provides that if he does plant more than the amount allotted; in other words, if he is allowed to plant three-quarters of his cultivated lands in cotton, or one-half of it in cotton, if he plants in excess of that, then this board can levy a tax on the excessive acreage that he plants.

Mr. KINCHELOE. That is, penalize the price?

Mr. LANKFORD. Penalize the price of the excessive acreage. The bill provides for no assessment or fee whatever on a reasonable crop that he plants, my idea being that a man ought to be allowed to plant reasonable acreage, one that will not overproduce, provided all the other farmers planted the same kind of a crop, without paying any fee whatever, and if any fee is levied, it should be on the excessive acreage that he plants, for the purpose of holding down production.

I voted for the McNary-Haugen bill, but the one idea in the bill that hurt me most was the equalization fee. I could explain anything else better than I could that, and I could satisfy myself I was voting correctly when I thought about any other part of the bill than the equalization fee. It is hard for me to think of an equalization fee on all that a man plants, but I can get consent to say that I will agree to a fee on the excessive acreage he plants, provided I can tell the farmer "Yes; I am cutting your acreage down, but I am setting up machinery whereby you are getting a better price for what you do plant." That is what I am hoping to do by this bill.

Mr. ADKINS. If you keep the acreage down to the actual needs of the country, that is as much as you would need to do. It would bring a fair price anyway.

Mr. LANKFORD. Yes, sir. It would just about do it.

Mr. KINCHELOE. That is what you are trying to do, without penalizing those who plant in excess, is it not?

Mr. LANKFORD. Yes. My bill provides for a penalty on the fellow who plants in excess. My idea is, if it is constitutional—Mr. Fort asked whether it was constitutional—I have decided that we ought to work out some kind of a plan to curtail production, other than a plan of letting the farmers suffer and lose in order to curtail.

Mr. KINCHELOE. Don't you think that it is just as constitutional to penalize him on the excess as to say to every farmer "You have got to pay an equalization fee"?

Mr. LANKFORD. I have not looked into it closely, but my idea is that probably this will pass the test of constitutionality just as easily as the other will.

Another item which I have in my bill, which is a little different from the other bills, is the selection of the directors or officers who are to control this corporation. I am loath to create any kind of a corporation for the management of the farmers' affairs and let that corporation become controlled and managed by enemies of the farmer. That is one of the great dangers which we face in all of this farm relief legislation. If we create a machine for the benefit of the farmer and then the other fellow gets control of the machine, we are in trouble. We are in the same position as the enemy capturing our cannon. We must be careful when we set up machinery of any kind for the benefit of the farmer to keep that machinery, if possible, in the hands of the farmer, and to provide that in the future it will stay in the hands of the farmer.

The plan I suggest in that respect in this bill may or may not be constitutional. In fact, all new legislation may or may not be constitutional until the Supreme Court passes on it. My bill simply provides that the governors of the cotton-growing States shall nominate a certain number of men from those States and that the President shall make appointments from the nominations submitted by those governors. If that is unlawful or unconstitutional, it may be that the question could be solved by the President appointing men from the cotton-growing States, but my bill provides that the governor shall nominate a number of men from the cotton-growing States, then the President shall appoint from those nominees, and that a certain number of those men shall be from States producing over a million bales during 1926, my purpose being to keep the machinery under the control of the farmers and the friends of the farmer.

Frankly, gentlemen of the committee, it is the purpose of my bill, if possible, to help the farmer get a better price for his cotton. I realize Mr. Fort's bill, which he discussed a little while ago, if it will hold cotton at a minimum price, so that the farmer will not lose on it, is better than any bill which allows the price of cotton to drop down below that price. He and I agree on the proposition of a minimum price to that extent. He would like a price at which his corporation bought it at almost a sacrifice, but at a level where the farmer would not and could not gain or lose. He would probably get what he put into it. I want a bill, and I want to support a bill if possible, which will let the farmer make a reasonable profit out of his crop, and be based on the same basis as the manufacturers and other people throughout the country.

Mr. ADKINS. You do not think he would get too gay with a little money?

Mr. LANKFORD. Well, I think he is entitled to get a little gay once.

Now, my bill, after providing for the control of production and machinery for the selecting of the board, provides that this corporation shall fix a minimum price. My bill, as a matter of fact, names 22 cents as the minimum price. That, like the amount of the capital stock, was simply put in the bill because it sounded good and which I would like to see the farmer get, but if that price is too high, of course, I would expect the price to be fixed which would be right and fair; but I would like to see a minimum price fixed, at which this corporation would begin to buy cotton and to buy it at that minimum price.

Mr. FULMER. Don't you think it fair, if they fix the freight rates so as to bring in a net profit, to fix the price on cotton so as to bring a profit to the farmers?

Mr. LANKFORD. That is true. This is also true, I think, that a high tariff—I do not want to get into a tariff speech, but if I could put enough helpful tariff on what the farmers sell to offset the tariff on what they buy, I would vote for it.

Mr. KINCHELOE. So you admit it is a failure?

Mr. LANKFORD. I admit it is a failure, because you put a tariff on more stuff that my people buy than I can possibly get on stuff that they sell. It does not operate evenly. That is the argument I make against the tariff.

But, what I intended to say was this, without getting into a tariff argument, that the tariff wall fixes a minimum price on an article of manufacture, to wit, the cost of manufacture abroad, the expense over here, and the tariff and possibly some other things. That is a definite, fixed minimum price that the manufacturer knows he is going to get for his stuff. My bill would fix a minimum price for cotton and, according to my way of seeing the proposition, the only way to put the cotton farmer on an equal basis with the manufacturer under a tariff wall or tariff rate, is to fix a reasonable, minimum price, and then control production; create an organization which will buy cotton when it drops down to that minimum price, and buy it at that minimum price.

Mr. CRISP's bill and Mr. ASWELL's bill each provide for the buying of cotton whenever emergency arises, and leaves the board to determine when the emergency exists. Those bills do not provide what this board should pay for the cotton. The board could buy at a sacrifice, buy at the low price at which the farmer is forced to sell it to-day. If so, it would not help the poor man who has cotton to sell; the man who drives into town with one bale of cotton on his wagon and has to sell it at 12 cents.

Mr. ADKINS. How are you going to protect your company against loss?

Mr. LANKFORD. In this way: If you fix a minimum price on cotton at 15 cents to-day, and if there is a corporation here large enough to buy all the cotton there is on the market at 15 cents—Mr. FORT said if the people who used cotton began to take cotton off the market, the price goes up. All right. He said his corporation could run the price up because they would begin to buy the cotton. All right. This corporation begins to buy cotton at the minimum price. This corporation has the right to sell this cotton at the cost, to wit, the minimum price plus 2 cents a pound profit, plus interest and insurance. Now, this corporation is big enough to buy the entire output at 15 cents or 20 cents a pound, and if that corporation begins to buy and says it intends to sell at that price and says "When we do buy, Mr. Manufacturer and Mr. Exporter, you are going to pay us 3 cents a pound above that," don't you think the manufacturers and exporters will begin to buy at 15½ cents, or just above the minimum price placed?

This corporation is going to have the right to buy at that minimum price. The minute that cotton goes a half cent above that minimum price, this corporation could not purchase at all, if the bill is passed as drawn by me. It would fix a minimum price; and could only buy at that one price. This corporation could not operate, as far as buying cotton is concerned, when cotton is selling above that price. I am willing for cotton to go above that minimum price all it wants to. In other words, if the price of cotton is such that it is worth 30 cents a pound on the market, I would be in favor of the farmer getting it, but I figure that this corporation, buying cotton at the minimum price, and with a law which provides that it shall not sell it for less than 2 cents a pound above that, the corporation would not have to buy much cotton.

Mr. ADKINS. Probably not.

Mr. LANKFORD. The exporters and those who want cotton would buy cotton just above that minimum price and keep the corporation out of business. The corporation would be willing to stay out of business, because the purpose would not be to make a profit but to assure the farmer a reasonable, fixed price.

Mr. FULMER. Don't you think that minimum would act as a maximum? They would not get above that?

Mr. LANKFORD. Well, that might be true, and for that reason I would like to have the minimum price made about 22 cents.

Mr. SWANK. Don't you think that a price of 22 cents would yield to the farmer about what the average man makes on the railroad or the average person in a factory?

Mr. LANKFORD. Yes. I do not think a minimum price of 22 cents would be out of proportion to the price which other people are getting for their labor.

Mr. FORT. You say the manufacturers would buy your cotton at this price. Don't you think there would be a tendency to buy a little more silk or wool if the price of cotton goes up?

Mr. LANKFORD. I realize if you get the price a little too high that would be true.

Mr. ADKINS. You would have the price of wool a little high under your bill, would you not?

Mr. LANKFORD. Yes, sir; but I realize that if you can control production, you can control the price of an article within reasonable bounds. Of course, I know you can not maintain cotton at a dollar a pound or 50 cents a pound, but I do feel that 22 cents is not an unreasonable price for cotton.

But I am committed to this proposition, that an organization set up which can control the production and marketing can control price within reasonable bounds.

Now, if I had any fight to make on the bill of Mr. CRISP or Mr. ASWELL, it would be this, that their bills provide for a corporation to declare when an emergency exists. My bill provides that when the price of cotton gets to that price the emergency exists. Their bill leaves the board to buy cotton without saying what amount shall be paid for it. They could buy it at a price at which the farmer will absolutely lose. My bill provides that they shall buy it at a minimum price, which will be a reasonable price, and thus stabilize the price.

Mr. KINCHELOE. How are you going to control production with this new railroad going through Mr. Jones's district in Texas?

Mr. LANKFORD. The bill, as drawn, provides that that county would be allowed to grow the same proportion that it did during 1926.

Mr. KINCHELOE. Do you think Congress could do that?

Mr. LANKFORD. I think it could. I think it could tax the excessive amount that they would plant there.

Mr. KINCHELOE. Do you think they could?

Mr. LANKFORD. Well, I did not come here to argue the question of the constitutionality of the proposition. I came here to submit a proposition that if this committee and this Congress can work out any plan whereby we can reasonably hold down production by taxing the excessive acreage, then you have solved the problem. The constitutionality can be settled later.

Mr. KINCHELOE. I am not criticizing at all.

Mr. LANKFORD. Control your production, control your marketing, and you can control your prices within reasonable bounds. As to whether that is constitutional or not, I am not prepared to argue.



The CHAIRMAN. In your opinion, what is the cost of production of cotton?

Mr. LANKFORD. I do not know exactly. I think that unless the farmer gets something around 17 or 18 cents he is not making any money.

Mr. FORT. That depends on where it is raised and the grade of cotton.

Mr. LANKFORD. Oh, yes.

Mr. FORT. It does not cost anything like that in Texas.

The CHAIRMAN. Have you any way of ascertaining the cost of production?

Mr. LANKFORD. I think you could ascertain it.

The CHAIRMAN. It varies materially, of course.

Mr. LANKFORD. It varies materially.

The CHAIRMAN. It probably might vary from 10 cents to 35 cents a pound.

Mr. LANKFORD. Yes; some sections may grow it at 10 or 12 cents a pound and get out on it without losing money.

The CHAIRMAN. And others would probably have to get 50 cents; that is, for the small dealer.

Mr. LANKFORD. Hardly that much. I have asked a great many farmers in my district what it cost them to produce cotton, and they said, "Unless we get 16 or 18 cents a pound for it, we are not making anything out of it." In other words, it cost them around 16 or 18 cents to produce it.

The CHAIRMAN. We had a number of people estimating the cost of production of wheat from 40 cents up to \$4.40.

Mr. LANKFORD. My people can produce cotton a little cheaper than other parts of the State. Most of my district is a fertile section; the land is level; there are not so many hills. They can produce cotton cheaper than they can in the northern part of the State, which is mountainous.

Mr. FULMER. The cost of production will vary from time to time or from section to section.

The CHAIRMAN. A number of witnesses have referred to the cost of production. Is there any way we can ascertain that?

Mr. FULMER. Oh, yes.

Mr. LANKFORD. Yes.

The CHAIRMAN. How would you ascertain it if it varies from 10 cents to 35 cents on cotton?

Mr. FULMER. It depends on the location and the cost of gathering.

The CHAIRMAN. But, do you fix the cost of production, or what would you make it; 10 cents to one man and 35 cents to another?

Mr. FULMER. No. You would have to strike an average, I think.

The CHAIRMAN. Yes.

Mr. LANKFORD. Let me make this further observation and then I am through. My bill makes no provision whatever for a loan fund to be loaned to the farmers. I can not help but feel that to offer to loan the farmers money is an excuse, in a way, for not giving them what they are entitled to. With a fair price for cotton they will have money of their own.

Mr. SWANK. How are you going to pay back this \$500,000,000?

Mr. LANKFORD. My bill makes no provision for paying it back.

Mr. KINCHELOE. What do you do? Appropriate it out of the Treasury?

Mr. LANKFORD. My bill provides for the corporation to have \$500,000,000 capital stock.

Mr. KINCHELOE. Where will they get it?

Mr. LANKFORD. Get it from the Treasury, and the receipt for it is the stock in the corporation.

Mr. FULMER. That is a subsidy, like the bill of Mr. ASWELL.

Mr. LANKFORD. Yes. I am not afraid of a subsidy. I am willing to vote for a subsidy for the farmer.

The CHAIRMAN. Is it not a fact that in the older cotton-growing States the acreage of cotton is being reduced and other crops are being raised there?

Mr. LANKFORD. Yes.

The CHAIRMAN. In other words, you are having more diversified farming?

Mr. LANKFORD. That is true. In my district, for instance, when I came to Congress eight years ago, they depended almost entirely on cotton for the money crop. Now, possibly half the money crop is tobacco. They are growing more tobacco and less cotton.

The CHAIRMAN. Would that not account for the additional acreage that will now come in in Texas?

Mr. LANKFORD. Yes. That will adjust itself to a certain extent. My people can grow tobacco just about as well as cotton, and make a little more money out of it. The people in my district this year got almost enough money out of their tobacco to pay their debts.

The CHAIRMAN. If that is the case, do you think there is so much bother about this overproduction?

Mr. LANKFORD. I do not think there is much bother about that, yet it must be controlled within bounds.

The CHAIRMAN. Is it not a fact that as the population increases in your section the production of cotton is reduced and other crops are coming in to supply the demand for them?

Mr. LANKFORD. Yes. I trust that the proposition of the overcrop is not such a great menace. We have gone along with it from time to time, but I realize that if you set up any kind of machinery which will guarantee a reasonable price or fix a price for the production of cotton or will raise that price, and the farmer is sure he will get a good price for his cotton, there is the bother of overproduction. I realize it is a problem to be considered along with any legislation that is proposed.

The CHAIRMAN. After these farmers have started to produce other crops, are they going to go back to cotton production, providing the price would be increased to such an extent that it would probably pay?

Mr. LANKFORD. Well, not to so great an extent as before they took up the growing of tobacco.

Mr. FORT. Is it not a fact that the acreage of cotton has increased from 31,000,000 acres to 45,000,000 acres in the last seven years?

Mr. LANKFORD. I am sure there has been an increase in acreage.

Mr. FORT. An increase of practically 50 per cent in acreage in four years.

Mr. LANKFORD. Of course, there are more people in the world.

Mr. FORT. But at the same time, your average price has been in the neighborhood of 23 or 24 cents in that same period.

Mr. LANKFORD. Yes. Another idea which was suggested by Mr. Fort is that if the cotton bought by this corporation could be held two or three years, that cotton will eventually come back to that price, if there be a bad crop year, even if the production is not controlled and the corporation could not lose money, and would fix the price level which would exist throughout the year.

Mr. FULMER. If you had any way of getting at the surplus—we haven't any surplus cotton right now that the world would not need.

Mr. LANKFORD. That is true.

Gentlemen, I thank you for your attention. I am offering my bill as a plan to solve this problem, about which I know we are all so anxious.

The CHAIRMAN. We thank you very much.

Without objection, the committee stands adjourned until 10 o'clock to-morrow morning.

(Whereupon, at 11 o'clock p. m., the committee adjourned until to-morrow, Saturday, January 8, 1927, at 10 o'clock a. m.)

#### ADDITION TO LANDS OF NATIONAL FOREST RESERVATIONS

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying papers, referred to the Committee on Agriculture and ordered printed:

*To the Congress of the United States:*

I transmit herewith, for consideration by the Congress, copies of resolutions adopted by the National Forest Reservation Commission on January 8, 1927, proposing the addition of certain public lands to the Challis, Idaho, and Sawtooth National Forests in the State of Idaho, the Missoula and Helena National Forests in the State of Montana, the Colville National Forest in the State of Washington, and the Wyoming National Forest in the State of Wyoming, together with copies of communications from the Secretary of Agriculture, submitting the proposed additions to the commission, which have been presented by the president of the commission in accordance with the provisions of section 8 of the act of Congress approved June 7, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 18, 1927.

#### LEAVE OF ABSENCE

Mr. CHINDBLOM, by UNANIMOUS CONSENT, was given leave of absence for one week on account of death in family.

#### HOUSE BILL TABLED

The SPEAKER. The bill S. 4153 passed the Senate the other day and without objection a similar bill, H. R. 11845, will be laid on the table.

There was no objection.

#### THE M'FADDEN BILL

Mr. TILSON. Mr. Speaker, I am informed that the conferees on the part of the House on the so-called McFadden bill have a report ready to make to the House and it is their wish that this bill may be called up for consideration on next Monday. I give this notice to Members of the House in order that they may be here at that time.

Mr. MORTON D. HULL. Is the report of the conferees filed with the Speaker?

Mr. TILSON. I understood there was to be a report filed to-day. I expected it would be filed before this time. Of course, if it is not filed it can not be called up. But in case it is filed I wish to notify the Members of the House so that they can be present.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. BLANTON. I have heard that there is a tentative agreement to have four hours of debate on Monday upon that conference report. Has that been recommended?

Mr. TILSON. I have heard that, also, but of course that is a matter to be determined by the House.

Mr. MORTON D. HULL. Mr. Speaker, a parliamentary inquiry. Has the report been filed?

The SPEAKER. Not with the Chair.

Mr. MORTON D. HULL. Will the filing of the report, irrespective of any action taken by the House on the matter, automatically discharge the conferees?

The SPEAKER. The Chair thinks it would.

Mr. GARRETT of Tennessee. It depends upon the character of the report, does it not?

The SPEAKER. If it is a report of disagreement.

Mr. GARRETT of Tennessee. The conferees are not discharged until the House has taken some action upon the report. That is my recollection of the rule. Otherwise, who is going to call up the conference report?

The SPEAKER. The Chair understands that it is a report in disagreement.

Mr. GARRETT of Tennessee. I think it will be found that where a report of disagreement is made the conferees will probably ask for further instruction. Of course, I do not know what course the conferees intend to take in this matter; but I hope the Chair will not put it down as a ruling that the mere filing of a report in disagreement will discharge the conferees. I question whether it would. I think the conferees still retain control of the situation.

The SPEAKER. Of course, the House will be compelled to take some action if the conferees report a disagreement.

Mr. GARRETT of Tennessee. That may be, but until that action is taken I think the conferees still exist as conferees.

The SPEAKER. When the conferees report a disagreement and the House takes any action it sees fit to take, the Chair will be compelled to appoint conferees. These conferees would not automatically go back to conference unless a motion to recommit the report was made.

Mr. GARRETT of Tennessee. The point which I make is this: I understood the Chair to state in answer to the inquiry of the gentleman from Illinois [Mr. MORTON D. HULL] that upon the filing of the report the conferees would be automatically discharged.

The SPEAKER. The Chair would rather take the matter under advisement before answering that inquiry definitely.

Mr. GARRETT of Tennessee. I looked into the question somewhat the other day and think that is the wisest course to take.

The SPEAKER. The Chair will be glad to take it under advisement. It is not necessary to rule upon it now.

#### ADJOURNMENT

Mr. BARBOUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 19, 1927, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, January 19, 1927, as reported to the floor leader by clerks of the several committees:

##### COMMITTEE ON AGRICULTURE

(10 a. m.)

To amend the packers and stockyards act, 1921 (H. R. 11384).

##### COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

District of Columbia appropriation bill.

##### COMMITTEE ON THE CENSUS

(10.30 a. m.)

To consider reapportionment of Members of the House of Representatives among the several States.

##### COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To amend the immigration act of 1924 by the repeal of the national origin provision (H. J. Res. 250).

To amend sections 11 and 12 of an act to limit the immigration of aliens into the United States, approved May 26, 1924 (H. R. 12806).

#### COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

Directing and providing for the assembly, inventory, classification, preparation for publication, and publication of the official records and maps relating to the participation of the military and naval forces of the United States in the World War, and authorizing appropriations therefor (H. J. Res. 314).

#### COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924 (H. R. 15663).

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

SS0. A letter from the Secretary of Commerce, transmitting a statement of expenditures under all appropriations for the support of the Bureau of Fisheries during the fiscal year ending June 30, 1926, showing typewriters, adding machines, and all other similar labor-saving devices exchanged by this department during the fiscal year ended June 30, 1926, in part payment for new machines; to the Committee on Expenditures in the Department of Commerce.

SS1. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill "To authorize the Secretary of the Navy to dispose of certain parts of the frigate *Constitution* for use as souvenirs"; to the Committee on Naval Affairs.

SS2. A letter from the Secretary of Commerce, transmitting statements of expenditures for the period December 1, 1925, to November 30, 1926; contingent expenses, Department of Commerce, 1925, 1926, 1927; general expenses, Bureau of Standards, 1926; contingent expenses, Bureau of Mines, 1926; contingent expenses, Patent Office, 1926; to the Committee on Expenditures in the Department of Commerce.

SS3. A letter from the Secretary of War, transmitting copies of abstracts of proposals received during the fiscal year ended June 30, 1926, for materials and labor in connection with works under the Corps of Engineers; to the Committee on Expenditures in the War Department.

SS4. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Bureau of Mines, Department of Mines, Department of Commerce, for the fiscal year ending June 30, 1928, amounting to \$1,063,000 (H. Doc. No. 652); to the Committee on Appropriations and ordered to be printed.

SS5. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Bureau of Immigration, Department of Labor, for the fiscal year ending June 30, 1928, amounting to \$500,000 (H. Doc. No. 653); to the Committee on Appropriations and ordered to be printed.

SS6. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce for export industries for the fiscal year ending June 30, 1928, amounting to \$65,000 (H. Doc. No. 654); to the Committee on Appropriations and ordered to be printed.

SS7. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year ending June 30, 1927, for the acquisition of a site for a building for the Supreme Court of the United States, \$1,700,000 (H. Doc. No. 655); to the Committee on Appropriations and ordered to be printed.

SS8. A communication from the President of the United States, transmitting supplemental estimates of appropriations under the legislative establishment, House of Representatives, for the fiscal year 1927, \$893.75, and for the fiscal year 1928, \$2,750; in all, \$3,643.75 (H. Doc. No. 656); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SWING: Committee on the Public Lands. H. R. 11487. A bill granting a right of way to the county of Imperial, State of California, over certain public lands for highway purposes; with amendment (Rept. No. 1789). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 15474. A bill to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of



agricultural commodities; with amendment (Rept. No. 1790). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAYDEN: Committee on Indian Affairs. H. R. 15021. A bill to authorize oil and gas mining leases upon unallotted lands within Executive-order Indian reservations; with amendment (Rept. No. 1791). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. H. R. 12851. A bill granting certain lands to the city of Mendon, Utah, to protect the watershed of the water-supply system of said city; with amendment (Rept. No. 1792). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH: Committee on the Public Lands. H. R. 15972. A bill providing for a grant of land in Idaho to the Oregon Trail Memorial Association of New York, N. Y. (Inc.), on which to erect a monument marking the site of Fort Hall; without amendment (Rept. No. 1793). Referred to the Committee of the Whole House on the state of the Union.

Mr. MORROW: Committee on Indian Affairs. H. R. 16209. A bill to authorize an appropriation for reconnaissance work in conjunction with the Middle Rio Grande conservancy district to determine whether certain lands of the Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, and Isleta Indians are susceptible of reclamation, drainage, and irrigation; with amendment (Rept. No. 1794). Referred to the Committee of the Whole House on the state of the Union.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 15922) for the relief of May Gordon Rodes and Sara Louise Rodes, heirs at law of Tyree Rodes, deceased, and the same was referred to the Committee on War Claims.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 16432) to authorize the Secretary of the Navy to dispose of certain parts of the frigate *Constitution* to be used as souvenirs; to the Committee on Naval Affairs.

By Mr. FORT: A bill (H. R. 16433) authorizing certain importers of sugar into the United States from the Argentine Republic during the year 1920 to submit claims to the Court of Claims; to the Committee on Agriculture.

By Mr. IRWIN: A bill (H. R. 16434) to authorize appropriations for construction at Scott Field, Ill.; to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 16435) amending the act of February 28, 1925, reclassifying the salaries of postmasters; to the Committee on the Post Office and Post Roads.

By Mr. EDWARDS: A bill (H. R. 16436) for the appropriation of \$12,040 for Fort Pulaski, Chatham County, Ga.; to the Committee on Military Affairs.

By Mr. BLACK of New York: A bill (H. R. 16437) to repeal the act prohibiting the interstate transportation of prize-fight films; to the Committee on Interstate and Foreign Commerce.

By Mr. ALLGOOD: A bill (H. R. 16438) to abort war; to the Committee on Ways and Means.

By Mr. LINEBERGER (by request): A bill (H. R. 16439) authorizing the Secretary of the Interior to submit plans and estimates for the establishment of a United States college of narcotic education; to the Committee on Education.

By Mr. TINCHER: A bill (H. R. 16440) to authorize an appropriation for an Indian memorial at Medicine Lodge, Kans.; to the Committee on Indian Affairs.

By Mr. KINDRED: A bill (H. R. 16441) to provide facilities and equipment in the Capitol for the emergency treatment of ill and injured persons; to the Committee on Accounts.

By Mr. SCHAFER: Joint resolution (H. J. Res. 333) for the appointment of William Mitchell as a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

By Mr. McKEOWN: Resolution (H. Res. 382) to amend Rule X, creating a standing Committee on Expenditures in the Independent Offices of the Government; to the Committee on Rules.

By Mr. HAUGEN: A resolution (H. Res. 383) to provide for the consideration of the bill (H. R. 15474) entitled "A bill to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities"; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRESEN: A bill (H. R. 16442) for the relief of Ira E. King; to the Committee on Claims.

By Mr. ARNOLD: A bill (H. R. 16443) granting a pension to Robert McConnell; to the Committee on Pensions.

By Mr. BLACK of Texas: A bill (H. R. 16444) granting an increase of pension to Sarah A. Cagle; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 16445) for the relief of the estate of L. Gordon Leech, bankrupt; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 16446) granting a pension to Isabella Breusing; to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 16447) granting an increase of pension to Frank G. Nelson; to the Committee on the Civil Service.

By Mr. LEAVITT: A bill (H. R. 16448) granting a pension to John N. Chesnut; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 16449) for the relief of Bernard F. Kroege, deceased; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 16450) granting an increase of pension to Rebecca Fowler; to the Committee on Invalid Pensions.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 16451) granting a pension to Mary McElroy; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 16452) for the relief of Henry C. Pratt; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 16453) granting an increase of pension to Margaret A. Banks; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 16454) granting an increase of pension to Sarah E. Hampton; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 16455) granting an increase of pension to Mary Cromer; to the Committee on Invalid Pensions.

By Mr. STEPHENS: A bill (H. R. 16456) granting a pension to Joseph Emminger; to the Committee on Pensions.

By Mr. SWING: A bill (H. R. 16457) for the relief of W. Schottenberg; to the Committee on the Public Lands.

By Mr. TAYLOR of Tennessee: A bill (H. R. 16458) granting a pension to Mattie Miller; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 16459) granting an increase of pension to Caroline Schneider; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 16460) authorizing William F. Notz to accept a decoration from the King of Rumania; to the Committee on Foreign Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5103. By Mr. BARBOUR: Petition of residents of Stanislaus and Kern Counties, Calif., urging immediate passage of a bill increasing pensions of Civil War veterans and widows; to the Committee on Invalid Pensions.

5104. By Mr. BRIGGS (by request): Petition of a number of citizens of Galveston, Tex., relating to proposed District of Columbia Sunday legislation; to the Committee on the District of Columbia.

5105. By Mr. CANFIELD: Petition of the Rev. C. O. Wirey and 35 other citizens of Johnson County, Ind., in favor of increases in pensions for Civil War veterans and their widows; to the Committee on Invalid Pensions.

5106. By Mr. CELLER: Petition protesting against the act of July 3, 1926; to the Committee on Pensions.

5107. By Mr. CONNERY: Resolution of voters of Lynn, Mass., urging that immediate steps be taken to bring to a vote the Civil War pension bill proposed by the National Tribune of Washington, D. C.; to the Committee on Invalid Pensions.

5108. Also, resolution of citizens of Massachusetts, urging that immediate steps be taken to bring to a vote the Civil War pension increase bill; to the Committee on Invalid Pensions.

5109. Also, resolution of citizens of Lynn, Mass., urging that immediate steps be taken to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

5110. Also, resolution of the citizens of Lawrence, Mass., urging that immediate steps be taken to bring to a vote the

Civil War pension increase bill; to the Committee on Invalid Pensions.

5111. By Mr. DENISON: Petition of various citizens of Carterville, Marion, Herrin, and Murphysboro, Ill., asking Congress not to concur in the passage of the compulsory Sunday observance bill (S. 3218), nor to pass any other national religious legislation which may be pending; to the Committee on the District of Columbia.

5112. By Mr. ELLIS: Petition of citizens of Kansas City, Mo., urging passage of legislation increasing pensions to veterans of Civil War and their widows; to the Committee on Invalid Pensions.

5113. By Mr. GALLIVAN: Petition of Cumann Bhreandain, St. Brendan Society, Michael R. Murphy, 79 Marcella Street, Roxbury, Mass., secretary, urging repeal of the national origins clause from the present immigration law; to the Committee on Immigration and Naturalization.

5114. By Mr. HILL of Washington: Petition of Sophia Rose Belfrage and 58 others, of Spokane, Wash., urging action by Congress on pending bills to increase pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

5115. Also, petition of Harriet S. Lockhart and 25 others, of Spokane, Wash., urging prompt action on pending bills in Congress to increase pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

5116. Also, petition of P. E. Ratsch and 52 others, of Cashmere, Wash., urging passage of House bill 10311, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5117. Also, petition of F. W. Walker Pugh and 85 others, of Omak, Wash., urging passage of House bill 10311, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5118. By Mr. LAMPERT: Petition of voters of Manitowoc, Wis., urging that immediate steps be taken to increase pensions for Civil War veterans and Civil War widows; to the Committee on Invalid Pensions.

5119. By Mr. LINEBERGER: Petition of citizens of San Fernando, Glendale, Los Angeles, and Van Nuys, Calif., protesting against enactment of compulsory Sunday observance bill, or any other national religious legislation; to the Committee on the District of Columbia.

5120. By Mr. LITTLE: Petitions signed by citizens of Paola, Westphalia, and Lecompton, Kans., urging that immediate action be taken to pass Civil War legislation for the relief of veterans and their widows; to the Committee on Invalid Pensions.

5121. Also, petition signed by eight citizens of Kansas City, urging that the White radio bill be passed during the second session of the Sixty-ninth Congress; to the Committee on the Merchant Marine and Fisheries.

5122. By Mr. McKEOWN: Petition of Mrs. Louie Karrant, Mrs. Lillie Morris, Mr. S. A. Karrant, Mrs. M. M. Bennett, Mrs. H. H. Woodworth, Mrs. G. A. Perry, Mrs. Joe R. Perry, Mr. and Mrs. E. Boroughs, Mrs. C. A. Hinkle, Mrs. J. S. Newton, Mr. J. B. Sanders, all of Shawnee, Okla., urging that Congress take every step in its power to prevent the intervention of United States in Mexico and Nicaragua; to the Committee on Foreign Affairs.

5123. By Mr. MAGEE of Pennsylvania: Petition of members of congregation of Fourth Presbyterian Church, Pittsburgh, Pa., urging passage of House bill 10311, known as Lankford Sunday bill; to the Committee on the District of Columbia.

5124. By Mr. MAPES: Petition of 125 citizens of Sparta, Mich., advocating the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5125. Also, petition of 73 residents of Michigan Soldiers' Home, Grand Rapids, Mich., advocating the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5126. By Mr. MICHAELSON: Petition of Chicago citizens on Wadsworth amendment to the immigration law; to the Committee on Immigration and Naturalization.

5127. By Mr. MICHENER: Petition of various persons residing at Jackson, Mich., asking that certain pension laws be amended; to the Committee on Invalid Pensions.

5128. By Mr. MORROW: Petition of New Mexico Wool Growers' Association, indorsing the Bratton-Morrow bill granting certain lands to the New Mexico College of Agriculture for experimental purposes; to the Committee on the Public Lands.

5129. By Mr. NEWTON of Minnesota: Petition signed by sundry residents of the Soldiers' Home, Minneapolis, Minn.,

protesting Sunday observance bills; to the Committee on the District of Columbia.

5130. By Mr. O'CONNOR of New York: Resolution of the Publishers' Association of New York City, asking that the postal rates for second-class matter in which newspapers are concerned be rescinded by amending the postal laws; to the Committee on the Post Office and Post Roads.

5131. By Mr. O'CONNELL of New York: Petition of Fred A. Petersen and Morris D. Randle, of Tupper Lake, N. Y., favoring the passage of the Tyson-Fitzgerald bill (S. 3027 and H. R. 4548); to the Committee on Military Affairs.

5132. Also, petition of C. A. Crane, secretary General Contractors' Association of New York, favoring the passage of the Campbell bill (H. R. 8902); to the Committee on the Judiciary.

5133. By Mr. OLDFIELD: Petition of Mrs. Martha Guide and others, of Amagon, Ark., urging the passage of House bill 13450; to the Committee on Invalid Pensions.

5134. By Mr. RAINEY: Petition of Annie E. Barnes et al., of Forest City, Ill., favoring Civil War pension bill carrying rates proposed by National Tribune; to the Committee on Invalid Pensions.

5135. By Mr. RATHBONE: Petition of citizens of Illinois, praying an increase of pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

5136. By Mr. ROUSE: Resolution adopted by the Norman Barnes Post, No. 70, American Legion, of Covington, Ky.; to the Committee on Military Affairs.

5137. By Mr. SUMMERS of Washington: Petition signed by J. N. Jacks and 20 others, of Clarkston, Wash., urging early action on the Civil War pension bill now pending; to the Committee on Invalid Pensions.

5138. Also, petition signed by John D. Brownley and 44 others, of College Place, Wash., urging early action on the Civil War pension bill now pending; to the Committee on Invalid Pensions.

5139. By Mr. SWING: Petition of certain residents of Fallbrook, Calif., protesting against the passage by Congress of House bill 10311 or any other national religious legislation which may be pending; to the Committee on the District of Columbia.

5140. Also, petition of certain residents of Holtville, Calif., protesting against the passage by Congress of House bill 10311 or any other compulsory religious measure which may be introduced; to the Committee on the District of Columbia.

5141. Also, petition of certain residents of San Diego, Calif., protesting against the passage by Congress of House bill 10311, or any other national religious legislation which may be pending; to the Committee on the District of Columbia.

5142. Also, petition of certain residents of Redlands, Calif., protesting against the passage by Congress of House bill 10311, or any other religious legislation which may be pending; to the Committee on the District of Columbia.

5143. Also, petition of certain residents of San Bernardino, Calif., urging the passage by Congress of a bill granting increased pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5144. Also, petition of certain residents of Corona, Calif., urging the passage by Congress of a bill granting increase of pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5145. Also, petition of certain residents of California, urging the passage by Congress of a bill granting increase of pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5146. Also, petition of certain residents of San Bernardino, Calif., urging the passage by Congress of a bill granting increase of pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5147. Also, petition of certain residents of San Diego, Calif., urging the passage by Congress of a bill granting increase of pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5148. Also, petition of certain residents of San Diego, Calif., urging the passage by Congress of a bill granting increase of pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5149. Also, petition of certain residents of San Diego, Calif., urging the passage by Congress of a bill granting increase of pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5150. Also, petition of certain residents of San Diego, Calif., urging the passage by Congress of a bill granting increase of pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5151. Also, petition of certain residents of San Diego, Calif., urging the passage by Congress of a bill granting increase of



pensions to Civil War veterans and the widows of Civil War veterans; to the Committee on Invalid Pensions.

5152. By Mr. TEMPLE: Petitions of Center United Presbyterian Congregation at Midway, Washington County, Pa., and congregation of the First United Presbyterian Church, Burgettstown, Washington County, Pa., in support of the Sunday rest bill (H. R. 10311); to the Committee on the District of Columbia.

5153. By Mr. TOLLEY: Petition of eight residents of Oneonta, N. Y., for the liberalization of the Civil War pension laws; to the Committee on Invalid Pensions.

5154. By Mr. VARE: Petition of employees of the navy yard, Philadelphia, Pa., requesting that if appropriation is made for 10 new vessels, cruiser type, one of them be built at the navy yard in Philadelphia and named in honor of that city, to take the place of the U. S. S. *Philadelphia*, which has been stricken from the Navy list; to the Committee on Naval Affairs.

5155. Also, petition of voters of Pittston, Pa., requesting Civil War pension legislation; to the Committee on Invalid Pensions.

5156. By Mr. WOLVERTON: Petition of Mrs. Jennie M. Chapman and other voters of Ritchie County, W. Va., asking that Congress consider a bill increasing the pensions of Civil War widows; to the Committee on Invalid Pensions.

## SENATE

WEDNESDAY, January 19, 1927

(Legislative day of Tuesday, January 18, 1927)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

### CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	McKellar	Schall
Bayard	George	McLean	Sheppard
Bingham	Gerry	McNary	Shipstead
Blease	Gillett	Mayfield	Shortridge
Borah	Glass	Means	Smith
Bratton	Goff	Metcalf	Smoot
Broussard	Gooding	Moses	Stanfield
Bruce	Gould	Neely	Steck
Cameron	Greene	Norbeck	Stephens
Capper	Hale	Norris	Stewart
Caraway	Harris	Nye	Swanson
Copeland	Harrison	Oddie	Trammell
Couzens	Hawes	Overman	Tyson
Curtis	Heflin	Pepper	Wadsworth
Dale	Howell	Philips	Walsh, Mass.
Deneen	Johnson	Pine	Walsh, Mont.
Dill	Jones, N. Mex.	Pittman	Warren
Edge	Jones, Wash.	Ransdell	Watson
Edwards	Kendrick	Reed, Mo.	Weller
Ernst	Keyes	Reed, Pa.	Wheeler
Ferris	King	Robinson, Ark.	Willis
Fess	La Follette	Robinson, Ind.	
Fletcher	Lenroot	Sackett	

The VICE PRESIDENT. Ninety Senators having answered to their names, a quorum is present.

### SENATOR FROM ILLINOIS

Mr. DENEEN. Mr. President, I send to the desk the credentials of Col. FRANK L. SMITH, of Illinois, and ask that they may be read.

The VICE PRESIDENT. The clerk will read.

The Chief Clerk read the credentials, as follows:

STATE OF ILLINOIS,  
EXECUTIVE DEPARTMENT,  
Springfield, Ill.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Illinois, I, Len Small, the governor of said State, do hereby appoint FRANK L. SMITH a Senator, from said State, to represent said State in the Senate of the United States to fill the vacancy therein, caused by the death of the Hon. William B. McKinley, and for the unexpired term of the said William B. McKinley, deceased.

Witness: His excellency our governor, Len Small, and our seal hereto affixed at Springfield, Ill., this 16th day of December, in the year of Our Lord 1926.

LEN SMALL, Governor.

By the governor:  
[SMAL.]

LOUIS L. EMMERSON,  
Secretary of State.

Mr. DENEEN. Mr. President, I offer the resolution, which I send to the desk.

The VICE PRESIDENT. The clerk will read the resolution. The Chief Clerk read the resolution (S. Res. 328), as follows:

Whereas FRANK L. SMITH, claiming to be a Senator from the State of Illinois, has presented his credentials, which are regular and in due form, and there being no contestant for the seat: Therefore be it

Resolved, That the oath of office be now administered to the said FRANK L. SMITH: Be it further

Resolved, That his credentials and all charges which may be filed against him and all objections that may be raised as to his right to a seat in the Senate be, and the same are hereby, referred to the Committee on Privileges and Elections, and that committee is hereby directed to hear and determine all charges and objections which may be submitted and to report to the Senate after due inquiry and as early as convenient.

Mr. DENEEN. Mr. President, Colonel SMITH is present, and I ask that he be now sworn in. He was appointed by the Governor of Illinois to fill the vacancy occasioned by the death of my late colleague, the Hon. William B. McKinley, who passed away December 7, 1926. The credentials of Colonel SMITH are in due form. He possesses the qualifications prescribed in the Constitution for the office of Senator. He is 30 years of age, has been a citizen of the United States for nine years last past, and is an inhabitant of the State of Illinois. He is not disqualified by reason of any inhibition in the fourteenth amendment.

I wish to present briefly my views on the right of Colonel SMITH to take the oath at this time.

It has been the practice of the Senate, with a few exceptions, to administer the oath to the Senator elect or designate when he presented himself at the bar of the Senate with credentials in proper form, regardless of a pending contest. I cite, first, precedents within the memory of sitting Senators.

(1) On February 23, 1903, the credentials of Senator SMOOT were presented by his colleague, Senator Kearns. At the same time a contest was filed, raising the question of Senator SMOOT's qualifications aside from those prescribed in section 3, Article I, of the Constitution. On March 5, 1903, the oath of office was administered and his case referred to the Committee on Privileges and Elections, and thereafter his right to a seat was upheld.

(2) In 1908 Hon. John W. Smith, of Maryland, presented his credentials. Objection was raised to him taking the oath and a motion was made to refer his credentials to the Committee on Privileges and Elections before the administration of the oath. This motion failed of adoption by a vote of 28 to 34. Senator Smith was sworn and took his seat.

(3) On December 4, 1916, the senior Senator from Arkansas [Mr. ROBINSON] presented the credentials of Hon. William F. Kirby as a Senator from that State. The senior Senator from Missouri [Mr. REED] moved to refer the credentials to the Committee on Privileges and Elections before the oath was administered. That motion was lost by a vote of 32 to 44 and immediately Senator Kirby took the oath of office.

(4) On November 18, 1918, Senator Lodge submitted the credentials of the Senator from New Hampshire [Mr. MOSES], asked that they be read, and moved that Senator MOSES be sworn in. Senator Pomerene, chairman of the Committee on Privileges and Elections, moved that the credentials be referred to that committee before the administration of the oath of office. On that motion Senator Lodge quoted and adopted the statement made by Senator Hoar, of Massachusetts, in the case of Senator SMOOT, as follows:

Mr. HOAR. The chairman of the Committee on Privileges and Elections, the Senator from Michigan [Mr. Burrows] is obliged to be absent. He desired me to state on his behalf that he understands the orderly and constitutional method of procedure in regard to administering the oath to newly elected Senators to be that when any gentleman brings with him or presents credentials consisting of the certificate of his due election from the executive of his State he is entitled to be sworn in, and all questions relating to his qualifications should be postponed and acted upon by the Senate afterwards.

If there were any other procedure the result would be that a third of the Senate might be kept out of their seats for an indefinite time on the presenting of objection without responsibility and never established before the Senate by any judicial inquiry. The result of that might be that a change in the political power of this Government which the people desired to accomplish would be indefinitely postponed.

Senator Lodge insisted that his motion to have Senator MOSES sworn in was of highest privilege and must be disposed of.